



# *Save Our Rivers*

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

1991 Five Year Plan

DAVIS

# **SAVE OUR RIVERS PROGRAM 1991 FIVE YEAR PLAN**

**SAVE OUR RIVERS DIVISION  
DEPARTMENT OF LAND MANAGEMENT  
SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
P.O. Box 24680, 3301 Gun Club Road  
West Palm Beach, FL 33416-4680  
(407) 686-8800**

**COVER: Photo by William Helfferich, Save Our Rivers Division  
Gordon Swamp, Corkscrew Regional Ecosystem Watershed Project**

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# INTRODUCTION

## SAVE OUR RIVERS PROGRAM

The South Florida Water Management District is responsible for acquiring critical water resource related lands under the state's Save Our Rivers (SOR) program. The major purposes of the program are water management, water supply, and the conservation and protection of water resources. As steward of these vital resources, it is the charge of the District to provide for their protection, enhancement, restoration, and preservation for the beneficial use and enjoyment of existing and future generations.

Manageability, surface and ground water systems, and the formation of corridors for the critical interaction of wildlife populations are major considerations in the land acquisition process. Prime requisites in managing these public lands are to ensure that the water resources, fish and wildlife populations, and native plant communities are maintained in an environmentally acceptable manner, and made available for appropriate outdoor recreational activities consistent with their environmental sensitivity. The care and nurturing of these resources may be accomplished in cooperation with other governmental agencies and the private sector through the design and implementation of appropriate stewardship programs.

## PRESERVATION 2000 PROGRAM

The Florida Legislature finds that the alteration and development of Florida's natural areas have contributed to the degradation of water resources, the fragmentation and destruction of wildlife habitats, the loss of recreation space, and the diminishment of wetlands and forests. They created an aggressive program of public land acquisition to preserve the quality of life that attracts so many people to Florida. The program uses bond proceeds supported by the general revenue portion of the Documentary Stamp tax. Distribution of the funds includes supplementing the Save Our Rivers Program. Additional information about Preservation 2000 is included in sections: Florida Preservation 2000 Act and Appendix E.

## SELECTION AND EVALUATION PROCESS

Section 373.59, Florida Statutes, specifies that monies from the Water Management Lands Trust Fund shall be used for acquiring fee title or other interest in lands necessary for water management, water supply and the conservation and protection of water resources. In addition, lands which include other features are eligible as well. These include, but are not limited to:

- \* River and stream flood plains and flow ways
- \* River and stream flood hazard areas
- \* Littoral zones
- \* Springs and lakes
- \* Aquifer recharge areas
- \* Wetlands
- \* Wellfields
- \* Unique water features

Each January the South Florida Water Management District must submit to the Legislature and the Department of Environmental Regulation, pursuant to the Florida Resource Rivers Act, an annual update to the Five Year Plan for acquisition.

In 1988, the South Florida Water Management District began a proactive program of identifying lands within the District which might be suitable as candidates for acquisition. Save Our Rivers applications from private and public groups were reviewed, and District staff selected other sites for consideration from small scale aerial photography.

**A Land Evaluation Matrix** was developed which address the water and natural resource values of each parcel. The matrix consists of the following ten parameters:

- \* Water Management
- \* Water Supply
- \* Conservation and Protection of Water Resources
- \* Manageability
- \* Habitat Diversity
- \* Species Diversity
- \* Connectedness
- \* Rarity
- \* Vulnerability
- \* Nature Oriented Human Use

The Land Evaluation Matrix is set up to review parcels for the water resource related issues (Water Management, Water Supply, and Conservation and Protection of Water Resources), before consideration is given to environmental values. If proposed projects do not have appropriate water resource values, they are not evaluated for the remaining seven categories.



Following on-site and aerial inspections of each tract, the value of each project, with regard to the matrix parameters, is determined by a team of senior technical staff. A detailed explanation of matrix parameters and scoring criteria is covered in **Appendix F**.

Following matrix scoring, projects are recommended by Save Our Rivers staff for inclusion on the Five Year Plan as either **Category A** or **Category B** projects. Those not receiving adequate scores are dropped from the list. Staff recommendations are presented to the Land Selection Committee, which consists of senior managers representing all of the District's departments. The endorsements or changes from the Land Selection Committee are presented to the Governing Board for final approval as the annual Five Year Plan.

A **project benefits criteria system** is also utilized to address projects which protect the integrity of ecological systems and provide multiple off-site as well as on-site benefits, these include the preservation of fish and wildlife habitat, recreation space, and water recharge areas. Projects are included which are intended to reverse the decline in the ecological, aesthetic, recreational and economic value of the State's water resources.

These criteria apply to projects designed primarily to supply off-site water resource benefits. Thus, evaluation is performed not on the lands themselves, as with the resource-based matrix, but consider the use to which the lands would be put in context with a described project. Examples for benefits provided by such lands would be:

- A. Distribution systems to simulate sheet flow inputs into wetlands systems.
- B. Detention systems operated to simulate the natural hydrograph for delivery of water into natural wetlands, lakes or estuaries.
- C. Water quality treatment system utilizing managed or unmanaged wetland vegetation processes.
- D. Groundwater recharge and/or water table control to facilitate recharge to aquifers or retain seepage from water storage facilities.

- E. Buffer, access or transitional areas necessary to protect core lands from adverse impacts, provide wildlife corridors, provide for public enjoyment of the core land, or isolate certain management practices such as flooding and prescribed burning.

All proposed projects must meet the following criteria: (any land acquisition would require prior Governing Board approval of the subject plan).

1. Proposed project lands are identified in a District Plan such as Water Use Management Plan (WUMP) or Surface Water Management Plan (SWIM), and
2. Subject lands would be utilized to provide simulated or naturally functioning water resource quality/quantity benefits, and
3. Lands would be part of the project resulting in net increase of natural resource values when considering both any on-site losses and off-site gains, and
4. Capital improvements, such as canals, levees, weirs, and pumps shall be limited to only those necessary to achieve the proposed water resource benefits, and
5. All appropriate funding sources for acquisition have been identified.

#### **1990 SOR PROJECT APPLICATIONS -**

The following Save Our Rivers project applications were submitted for consideration in 1990:

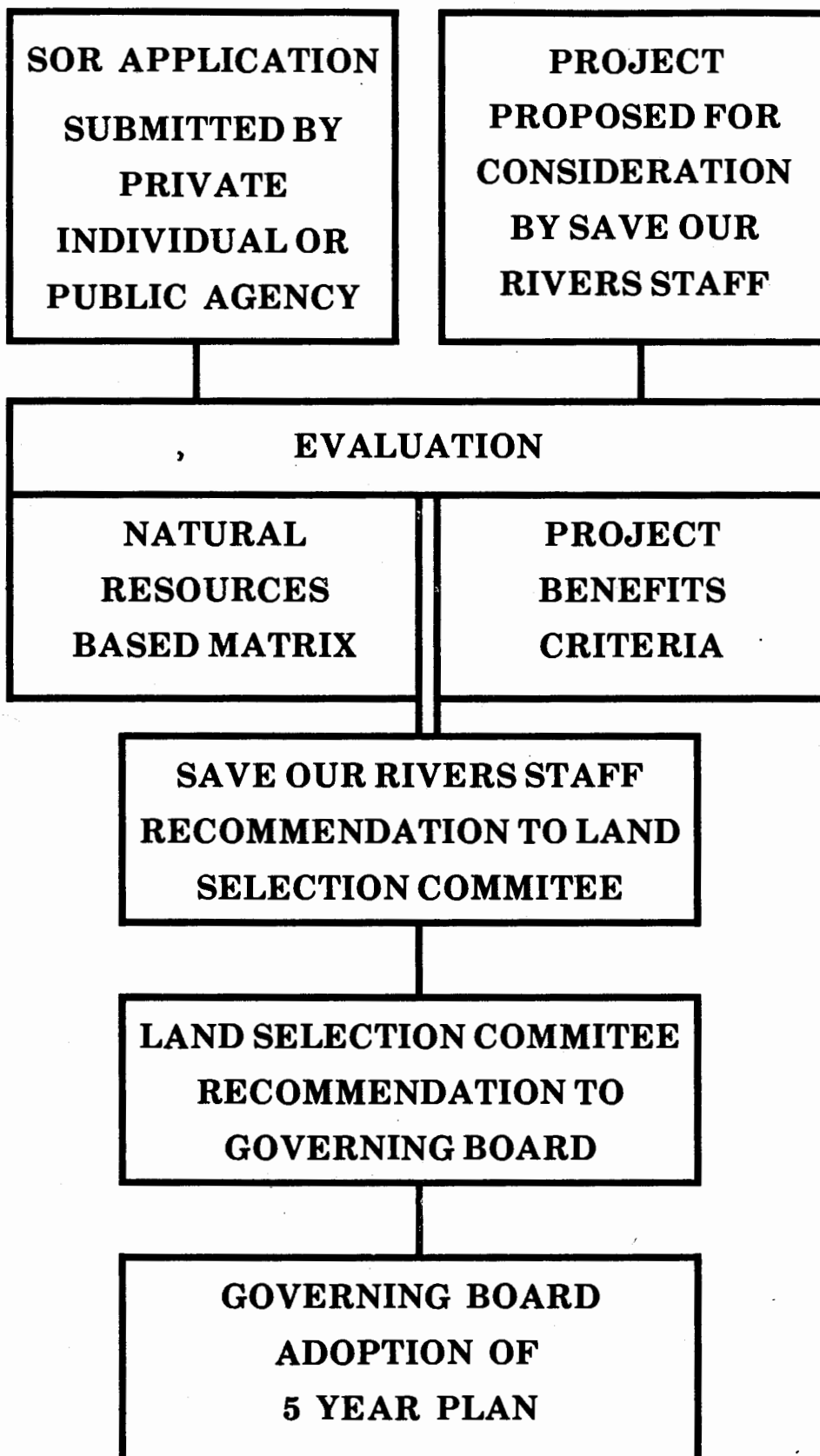
Model Land Basins  
Old Diamond T Ranch  
Walker Ranch

After evaluation of the applications by the standard SOR procedures, the Land Selection Committee recommended that the following projects be added to the 1991 Five Year Plan:

Model Land Basins	Category A
Walker Ranch	Category A

After requests for additional information were raised by the Land Selection Committee, the applicants for Old Diamond T Ranch withdrew their application until the requested material could be provided.

## **SELECTION AND EVALUATION PROCESS**



# LAND STEWARDSHIP ACTIVITIES

The Florida Resource Rivers Act specifically states that "Lands acquired with money from the fund shall be managed and maintained in an environmentally acceptable manner and, to the extent practicable, in such a way as to restore and protect their natural state and condition" and make available to the general public for appropriate recreational purposes. Further, Section 373.59, Florida Statutes, as amended, provides that up to 10 percent of the monies in the Water Management Lands Trust Fund may be allocated annually to the District for management, maintenance and capital improvements. District activities directed at achieving this level of stewardship are divided into the following categories:

## STEWARDSHIP PLANNING

### STEWARDSHIP IMPLEMENTATION

1. Restore and protect the natural state and condition of the land
2. Manage and maintain in an environmentally acceptable manner
3. Maximize public recreation

## STEWARDSHIP PLANNING

Stewardship planning includes both the development of Conceptual and Operational Management Plans. Conceptual Management Plans are prepared to provide long-term goals and objectives and to establish a direction for the management of individual properties. Operational Management Plans are more specific with regards to what, why, how, and when various management activities will be undertaken, and which recreational activities are compatible.

A key element in the preparation of operational plans is the Environmental Assessment, which is conducted for each parcel. The environmental assessments supply descriptions of the existing plant and animal communities and make recommendations for action to be taken to restore or

maintain natural conditions. The District has entered into cooperative management agreements with other public agencies, such as the Florida Game and Freshwater Fish Commission, the Department of Natural Resources, and Lee, Palm Beach, Martin and Orange Counties. Under these agreements, the District retains ownership of the lands, but management is undertaken at a level where it can have the most positive effect on the resource and its users

When the District acquires land for a particular project, it is sometimes necessary to take title to portions that may be excess to the needs of the Save Our Rivers program, because the landowner is willing to sell only their entire holding. A process has been developed whereby acquired parcels are evaluated to determine if portions could be declared excess and made available for sale or trade.

To a large degree, the excess lands evaluation is based on the parameters listed in the Project Evaluation Matrix. Other factors are taken into account as well. Those include:

1. Zoning of adjacent parcels or land use designation under County Comprehensive Plan.
2. Are adjacent zoning and land use designation compatible with remaining SOR lands?
3. Will more intensive development on excess lands have adverse impacts on or affect the District's ability to manage remaining SOR lands?
4. Is excess area needed as an aesthetic or environmental buffer to remaining SOR lands?

## STEWARDSHIP IMPLEMENTATION

The District's efforts under stewardship implementation revolve around three major areas. The principal management efforts are listed under each heading, followed by a brief description of each:

1. Restore and protect the natural state and condition.
  - a. Hydrologic restoration
  - b. Exotic control
  - c. Habitat protection and enhancement

2. **Manage and maintain in an environmentally acceptable manner.**
  - a. Conserve, maintain and protect water resource related features
  - b. Prescribed burning
  - c. Grazing
  - d. Fencing
3. **Provide public recreation**
  - a. Fishing and other water oriented activities
  - b. Hunting
  - c. Hiking
  - d. Camping
  - e. Horseback riding
  - f. Environmental and water resource education programs

## **RESTORE AND PROTECT**

**Hydrologic Restoration** -- The most important stewardship task is returning SOR lands to as near a natural state, hydrologically, as possible. This provides for groundwater storage in wetlands, water quality improvement by slowing the rate of surface runoff, and habitat improvement for fish and wildlife. The Kissimmee River is the District's most aggressive restoration effort. Less intense programs are either planned or underway at the DuPuis Reserve, Nicodemus Slough, Loxahatchee River and East Everglades (C-111). These efforts range from the installation of diversion dams and water control structures in the Kissimmee River to filling or blocking drainage swales and ditches at the DuPuis Reserve and the removal of barriers to sheetflow in the East Everglades.

**Exotic Control** -- application of environmentally acceptable herbicides.

**Habitat Protection and Enhancement** -- Habitat enhancement on SOR lands includes a combination of hydrologic restoration in wetlands, prescribed burning to improve forage for wildlife and maintenance of native plant communities, and control of exotic vegetation.

## **MANAGE AND MAINTAIN**

**Conserve, Maintain and Protect Water Resource - Related Features** -- Natural features of the south Florida landscape are rapidly being lost

to agricultural and urban development. A major thrust of the Save Our Rivers program is to protect the flow ways, watersheds, and wetlands which are critical to the water resources of the District.

**Prescribed burning** -- Periodic fire is a natural element of native Florida ecosystems. The District uses prescribed burning as a tool for land management purposes, such as reduction of hazardous fuel load build-up, wildlife habitat enhancement and encouraging the restoration of native plant communities. The District began burning SOR lands in 1988, and intends to burn the larger tracts on an approximate five year rotation. Lands where burning is occurring include the DuPuis Reserve and several of the tracts along the Kissimmee River. SOR lands in the East Everglades are being burned by the Florida Game and Freshwater Fish Commission and the National Park Service under a cooperative management agreement.

**Grazing** -- Livestock grazing has been a customary activity on many of the lands purchased under the SOR Program. Studies have shown that when undertaken properly, livestock grazing is one of the most efficient means of effectively managing our native rangelands. The District has been working closely with the USDA Soil Conservation Service and other cooperating agencies to identify properties, or portions of properties, suitable for this activity, and to design and implement grazing plans that are compatible with the goals and purposes of the program. Grazing leases will be typically of short duration (not in excess of five [5] years) and awarded through a process of competitive bidding. District policy prohibits the conversion of native range to improved pasture and, where properties have been acquired that contain improved pastures, measures will be implemented to encourage their conversion to native range or woodland.

**Fencing and Posting** -- In order to delineate the District's property lines, deter trespass/vandalism and protect the integrity of the resource, most major SOR land holdings are fenced and posted following acquisition. The District presently constructs or replaces 30 miles of fence annually.

## **PUBLIC RECREATION**

**Fishing and Other Water-related Activities** -- Fishing, boating and canoeing are limited to those SOR projects associated with rivers, such as the Kissimmee, Loxahatchee and South Fork St. Lucie.

**Hunting** -- The District, in cooperation with the Florida Game and Fresh Water Fish Commission, has opened SOR lands which are large enough, and support adequate game populations, for public hunting. Hunt programs are designed to provide a quality hunting experience while maintaining healthy populations of game species. Seasonal harvest quotas are established by the Commission based on annual population surveys. Annual hunting regulations are proposed by the Commission for each area and approved by the District. Walk-in hunting is encouraged, as vehicular access is limited to the use of street licensed vehicles (excluding motorcycles) on designated roads.

**Hiking and Camping** -- The Florida Trail Association (FTA) is working closely with the District on the development of hiking trails on SOR lands. Primitive campsites are being designated at appropriate locations along these trails for use by backpackers. Maintenance of the trails will be performed by FTA members. The Florida National Scenic Trail (FNST), one of eight officially designated national scenic trails, is currently being developed by FTA in cooperation with the USDA Forest Service and a host of federal, state and local agencies and private landowners. A portion of the FNST has been certified for location along the Kissimmee River. Hiking trails provide a means by which visitors can view and enjoy in quiet solitude, these sensitive lands and avoid the adverse impacts to plant and animal life often attendant to road networks and areas used by off-road vehicles.

**Horseback Riding** -- The District is consulting with a variety of horseback riding interests regarding the development of equestrian trails on District lands. Thirty-six miles of Equestrian trails have been developed for the DuPuis Reserve, and it is anticipated that additional areas may be targeted in the future. Care is being taken to limit the construction of these trails to suitable ecosystem types and to avoid sensitive wetland areas. Trail development and maintenance will be undertaken by private trail riding organizations and/or other public agencies under appropriate agreements with the District.

**Environmental Education** -- The District is developing an environmental education program to

inform school groups and the general public about the importance of maintaining water resources and environmentally sensitive land tracts. Environmental education programs for teachers were conducted at the DuPuis Reserve and the Loxahatchee River during the summer of 1990.

# SAVE OUR RIVERS ACTIVITY REPORT

January 1990 - June 1990

## A. INTRODUCTION

Land stewardship planning includes the development of general and site specific stewardship practices for District lands. This program covers the development of conceptual and operational management plans, specific land use plans, site designs and public use plans. In addition, the program includes the identification of potential management partners, the preparation of management agreements, reviewing proposed management plans for conformance with SOR legislative guidelines and District SOR policies, and monitoring the implementation of management plans.

The maintenance program includes all management activities on existing SOR tracts. Maintenance functions include providing for security, general clean up of domestic and agricultural waste, the installation and repair of fences, gates, and signs, road and structure maintenance, mowing and chopping, and the preparation of fire lanes. Other land management activities include exotic plant control, and prescribed burning to reduce the threat of wildfire and provide the stimulus for fire dependent plant communities. The program also monitors several ongoing management agreements with private, local and state agencies. (See summary table - Save Our Rivers, Stewardship Activities, 1990)

Management costs reimbursed by the Save Our Rivers Program were \$484,000 for the period. The South Florida Water Management District's Save Our Rivers Program includes over 127,000 acres of land.

Public use management involves the planning and implementation of plans, programs and procedures governing access to specific SOR tracts for outdoor recreational purposes. Included are the identification of acceptable activities and use levels, the

development of trails and related facilities, and promulgation of area regulations. Management activities further include preparation of agreements with public agencies and private non-profit organizations, the coordination of volunteer activities, and the monitoring of use through inspections and surveys. Another important feature of the program is the development and distribution of maps and brochures designed to inform the public about the available opportunities.

## B. LAND STEWARDSHIP PLANNING AND MANAGEMENT

### 1991 FIVE YEAR PLAN

As approved by the Governing Board in January, this and future SOR Five Year Plans will be prepared in coordination with the budget and be presented to the Board for consideration in August.

### DUPUIS

A hydrologic analysis is underway to provide planning information for complete wetland restoration. The freshwater marshes and cypress sloughs, as well as the 2,500 acre L-8 marsh were overdrained while the property was operated as White Belt Ranch. Aerial topographic maps will be available in the fall of 1990, which will provide important details for a final design.

Secondary swales and ditches which drain isolated wetlands have been filled using earthen ditch blocks. These wetlands provide critical feeding areas for the many species of wading birds found in the area. Restoring the 2,500 acres of L-8 marsh, however, requires a much more detailed design. In order to reflood the marsh, an earthen dike and major water control structure must be designed and constructed. District hydrologist and engineers, in consultation with research environmentalist and land managers, are developing plans which will create a variety of wetland habitats across the marsh, ranging from permanent deep standing water to seasonally inundated wet prairie.

The West Palm Beach Field Station has constructed 16 ditch blocks in locations selected by the Environmental Science Division, DRE. An additional 11 are proposed. Three automatic water level recorders have been installed in marshes where plugs have been installed, as well as marshes which are still being drained. Environmental Sciences Division has also established vegetational transects in a variety of locations, including the L-8 marsh, drained wetlands and wetlands which have been plugged.



The 1989-90 hunting season was completed without incident and provided both good results and participant compliments. 1990-91 regulations have been developed and approved by WMD Board and GFC Commission. Over 16 miles of hiking trails developed by the Florida Trail Association were dedicated in March. Work is progressing steadily on the equestrian trail system by the DuPuis Horsemen's Association. Over 36 miles of trails are expected to be ready for dedication in August.

A draft memorandum of agreement with the Division of Forestry has been prepared and is currently under review.

Maintenance activities involved the installation of fences and entrance gates, mowing, and some exotic plant control.

#### **CORKSCREW REGIONAL ECOSYSTEM WATERSHED (CREW)**

The CREW Management Planning Committee has met monthly since its creation in January. It is made up of professional land managers from Corkscrew Sanctuary, the District, GFC, DNR, U.S. Fish and Wildlife, Lee County, Collier County and The Conservancy (Collier County). The Committee has produced a management plan outline, provided general criteria for the acquisition strategy. The CARL Land Acquisition Advisory Council accepted an application for the CREW Project in March, 1990. On July 20, 1990, the Council approved the application and placed the CREW Project on the CARL list.

#### **KISSIMMEE VALLEY RESTORATION PROJECTS**

- (a) Rattlesnake Hammock - The Project was completed April, 1990.
- (b) Ice Cream Slough - Plans complete, acquisition complete, permits pending. DNR is reviewing the project which involves activity in Old River Run of the Kissimmee and may require additional approvals.
- (c) Tick Island Slough - Plans complete, permits complete, land acquisition incomplete. Project is not recommended for budgeting in FY 91. Completion can not be earlier than FY 92.
- (d) McArthur - Preliminary environmental evaluations performed. Hydrologic analysis requested in FY 91 budget.

- (e) Godochik II - The Construction Management Department is preparing a scope of work for contract services to provide H & H study of the Godochik II culvert project.

#### **KICCO**

GFC planning efforts for the KICCO Wildlife Management Area have been limited by lack of personnel. District staff is the process of contracting for caretaker services to provide security and maintenance services. The spring gobbler season was very successful with high hunter/success ratio and participant satisfaction. A part of the Florida National Scenic Trail was formally dedicated at a ceremony in June. Thirty-six (36) miles of the trail are currently located along the Kissimmee River.

Maintenance activities included the installation of new entrance gates and gate signs, prescribed burning of approximately 100 acres and the development of trailhead/parking area.

#### **LOXAHATCHEE RIVER**

The management agreement with DNR was executed on February 15, 1990. The District and Palm Beach County staffs met in fourth quarter of FY 89 to discuss management of Reese property. Palm Beach County is waiting for the results of the hydroperiod restoration analysis to determine the most appropriate use of land.

Maintenance activities included fire lane construction, mowing, chopping, roadway construction and repair, fencing and exotic plant control.

Topo surveys are ordered for the Reese Property to evaluate run off, hydroperiod and backwater conditions. Decision on culvert placement and size will follow after hydrologic analysis are complete.

#### **McARTHUR**

The property was posted and flagged for possible excess land sale. Maintenance activities included removal of trash and debris, fence repair, mowing, and building maintenance, general cleanup of property and prescribe burning of approximately 2,600 acres.

## OTHER PROJECTS

- (a) Lake Forest - Governing Board approved Master Plan and Preliminary Construction Plan. Orange County expected to start construction in FY 91.
- (b) Six - Mile Cypress - Final plans have been approved. Construction of Environmental Education/Visitor Center expected to begin in October, 1990.
- (c) East Everglades - GFC activities were assumed by staff while a search for a new biologist was undertaken.
- (d) South Fork - St. Lucie - Met with Martin County Commissioner in March. District staff urged Martin County staff to develop recreational plan for property. The Florida Trails Association has been contacted about a possible trail. Approximately 7,000 feet of boundary right-of-way was cleared and fenced.

## SUMMARY OF ACQUISITION ACTIVITY (F. Y.1990)

This 1990 Five Year Plan includes only a six month portion of fiscal 1990. Acquisition activities are continuing on Big Pine Key, Corkscrew Regional Ecosystem Watershed, Kissimmee River and the water Conservation Areas.

During the report period (January 1, 1990 to June 30, 1990), the following acquisition activity was authorized and commitments were made to purchase. Commitments are defined by the passage of a Governing Board Resolution authorizing the purchase of land.

PROJECT	TRACT NAME	TOTAL ACRES	ESTIMATED PURCHASE PRICE
Kissimmee	Matthew	315.78	\$537,000
Kissimmee	Telex	360.59	450,000
Kissimmee	Meredith	118.02	100,300
Big Pine Key	various owners	35.18	598,300

# SAVE OUR RIVERS STEWARDSHIP ACTIVITIES - 1990

PROJECT NAME: Loxahatchee River Corridor

CATEGORY	ACTIVITY	Reese	All Tracts N. of SR 706
Planning	Environmental Assessment <i>due date</i>		
	Conceptual Management Plan <i>" "</i>		*
	Operational Management Plan <i>" "</i>		
	Hydroperiod Restoration Plan <i>due date</i>		
	Cooperative Management Agreement <i>EA</i>		*
	Grazing Plan <i>Acres</i>		
Conservation - Protection of Water Resources	Prescribed Burning <i>#/Acres</i>		
	Hydroperiod Restoration Implementation <i>data</i>		
	Environmental Monitoring <i>Report data</i>		
Environmental Protection	Exotic Plant Control <i>8/Acres</i>	*	P
	Fencing <i>miles 28/mi</i>	*	*
	Posting <i>miles</i>	*	P
	General Property Clean Up <i>\$</i>	*	*
Public Use and Recreation	Environmental Education		
	Access <i># Acres</i>		
	Hiking Trails <i>miles</i>		
	Equestrian Trails <i>miles</i>		
	Hunting <i>hunting camp</i>		

Activity During 1990

Partial Activity During 1990

# SAVE OUR RIVERS STEWARDSHIP ACTIVITIES - 1990

PROJECT NAME: Kissimmee River Valley

CATEGORY	ACTIVITY	Fitch	Godochik I	Godochik II	Hazellief	KICCO	McArthur	River Acres II	Gache	Bryan	Clemo
Planning	Environmental Assessment		*	*							
	Conceptual Management Plan					*					
	Operational Management Plan					*					
	Hydroperiod Restoration Plan		*	*		*					
	Cooperative Management Agreement				*	*					*
	Grazing Plan		*			*					
Conservation - Protection of Water Resources	Prescribed Burning					*	*				
	Hydroperiod Restoration Implementation					*					
	Environmental Monitoring										
Environmental Protection	Exotic Plant Control				N/A						
	Fencing				*	*					*
	Posting				*	*	*				
	Trash Clean Up				N/A	*	*				N/A
	Monitor Grazing		*	*	*	*		N/A	N/A		*
Public Use and Recreation	Environmental Education										
	Access					*					
	Hiking Trails					*					
	Equestrian Trails										
	Hunting					*					

\* Activity During 1990

# SAVE OUR RIVERS STEWARDSHIP ACTIVITIES - 1990

PROJECT NAME: *Miscellaneous Tracts*

CATEGORY	ACTIVITY	DuPuis	Lake Forest	South Fork	Strazzulla	Nicodemus Slough	East Everglades	Six Mile Cypress	Big Pine Key
<i>Planning</i>	Environmental Assessment	*	*						
	Conceptual Management Plan		*			*	*	*	
	Operational Management Plan		*					*	
	Hydroperiod Restoration Plan	*		N/A		*		*	
	Cooperative Management Agreement	*	*			*	*	*	
<i>Conservation - Protection of Water Resources</i>	Prescribed Burning	*					*		
	Hydroperiod Restoration Implementation	*				*			
	Environmental Monitoring	*				*	*	*	
<i>Environmental Protection</i>	Exotic Control	*	N/A				*	*	*
	Fencing and Gating	*		*	*	*	N/A	*	
	Posting	*	*	*	*	P	P	*	
	General Property Clean Up	*		N/A			*	*	
<i>Public Use and Recreation</i>	Environmental Education	*	*					*	
	Hiking Trails	*						*	
	Equestrian Trails	*							
	Hunting	*					*		

\* Activity During 1990

P Partial Activity During 1990

# FLORIDA PRESERVATION 2000 ACT

This act (Section 259.101, F.S.), passed in 1990, provides funding to supplement land acquisition programs, including the Save Our Rivers program. The Act allows for the purchase of water management lands, pursuant to Section 373.59, Water Management Lands Trust Fund, using bond proceeds supported by the general revenue portion of the Documentary Stamp Tax. The Act provides for up to \$300 million to be bonded annually for the next ten (10) years. The Save Our Rivers Program receives 30% of the proceeds, allocated to the District per Section 373.59. Each bond series must be appropriated by the legislature.

In addition to meeting the the criteria specified in Section 373.59, the lands acquired shall meet at least one of the following criteria, as specified by Section 259.101, F.S.

1. A significant portion of the land in the project is in imminent danger of development;
2. A significant portion of the land in the project is in eminent danger of subdivision which will result in multiple ownership and may make acquisition of the project more costly or less likely to be accomplished;
3. The value of a significant portion of the land in the project is likely to appreciate at a rate that makes purchasing the land immediately with Preservation 2000 funds more cost effective than delaying until other funds are available.
4. A significant portion of the land in the project serves to protect or recharge groundwater and to protect other valuable natural resources or provide space for natural resource based recreation;
5. The project can be purchased at eighty percent of appraised value or less; or

6. A significant portion of the land in the project serves as habitat for endangered or threatened species or serves to protect endangered natural communities.

The development of Florida's natural areas to accommodate its growing population represents the potential to fragment and destroy wildlife habitats, eliminate natural resource-based recreation space, degrade water resources and alter characteristics of land for groundwater recharge.

The Florida Preservation 2000 Act requires that each Water Management District shall identify lands needed to protect or recharge groundwater. Such lands shall also serve to protect other valuable natural resources or provide space for natural resource-based recreation.

The Hydrogeology Division is currently working with the U.S. Geological Survey and the Hydrogeology Sub-Committee of the Blue Belt Commission to develop criteria for defining ground water recharge areas throughout the District. Once accepted, the criteria will be applied to the existing hydrogeologic database and a series of maps will be generated.

For examining lands with respect to the directives of the Preservation 2000 Act, the Division is preparing a preliminary assessment of the recharge potential. This assessment will be based on drainage characteristics of the soils, depth to the water table, and the degree to which the aquifer is used by adjacent interests. The final product, available next fiscal year, will be detailed maps quantifying the recharge potential of all or portions of SOR lands.

The Preservation 2000 Act also allows the Department of Environmental Regulation to release monies for pre-acquisition costs necessary to purchase any lands listed on the Five Year Plan.

The 1991 Five Year Plan includes projects that meet the specified criteria. The following is a list of each project and the criteria met:



## PRESERVATION 2000 PROJECT CRITERIA

PROJECT	CRITERIA MET (In addition to 373.59)
Pal-Mar	#1 - Imminent danger of development #4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat
Reedy Creek	#4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat
Telegraph Swamp	#4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat
Walker Ranch	#4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat
Dade/Broward Levee	#4 - Groundwater recharge and protects valuable natural resources
Everglades Buffer Strip	#4 - Groundwater recharge and protects valuable natural resources
North Fork St. Lucie River	#4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat
Shingle Creek	#4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat
Water Management Area 3	#4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat

## PRESERVATION 2000 PROJECT CRITERIA

PROJECT	CRITERIA MET (In addition to 373.59)
Big Pine Key	#1 - Imminent danger of development #4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat
C-111	#6 - Serves as habitat
Model Land Basins	#6 - Serves as habitat
East Everglades	#6 - Serves as habitat
Kissimmee River	#4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat
Savannahs	#1 - Imminent danger of development #4 - Groundwater recharge and protects valuable natural resources
Water Conservation Area	#4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat
Corkscrew Regional Ecosystem Watershed	#1 - Imminent danger of development #4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat
Fisheating Creek	#2 - Imminent danger of subdivision #6 - Serves as habitat
Lake Marion Creek	#4 - Groundwater recharge and protects valuable natural resources #6 - Serves as habitat

# 1991 ACQUISITION PLAN

The Florida Preservation 2000 Act provides significant additional funding for the SOR acquisition plan. At this time, the exact amount of money available from Preservation 2000 and SOR Documentary stamps for the next five years is uncertain. For this five year acquisition plan, it has been assumed that \$30,000,000/year will be available for land purchases.

For the 1991 SOR Five Year Plan, the following criteria were utilized to establish the general acquisition priority for qualified SOR projects.

## 1. Standing on the District Strategic Plan

SOR land acquisition is an integral element of the District's overall strategic plan for resource management. The priority of SOR land acquisition needs as established by the Plan must be directly translated to the SOR acquisition priority.

## 2. Potential for Resource Loss

Continued development activity in and around identified SOR projects raises concerns about loss of resource values for these projects if they are not protected by outright purchase or conservation easements. The Departments of Planning and Regulation, as well as local governments, are consulted annually as to the trend in development pressures around various SOR projects.

## 3. Potential for Cooperative Acquisitions

Several SOR projects are potentially qualified for cost sharing with other state agencies and other projects are located in counties with land acquisition programs. Projects that can be acquired and/or managed with cost sharing programs and remain consistent with SOR objectives receive priority consideration. However, it is important to establish the compatibility of the intent of the potential partner program before granting a priority status.

## 4. Disposition of Owner(s)

The expressed willingness of the owner(s) of specific critical tracts within an SOR project is a factor in the acquisition priority consideration. Conversely, well managed lands owned by private interests reluctant

to sell are given a low priority, even if the resource values are high.

Although this priority analysis should apply to SOR projects, it may be necessary to single out certain key tracts within a project as the critical factor for a priority; that is the status or priority of certain core tracts within a project may determine the priority of the overall project. In these cases, the commitment of funds to the project should be to acquire the core pieces rather than the less critical (lower priority) tracts.

The 1991 Priority Acquisition Plan was developed using these criteria. The acquisition resources of the District will be specifically directed to accomplish these acquisition. However, any qualified SOR project may be considered for acquisition during the life of this plan as conditions and circumstances warrant.

5. Completed Water  
Resource Study

# SAVE OUR RIVERS 1991 FIVE YEAR ACQUISITION PLAN PRIORITY ANALYSIS

PROJECT	EST. ASSESSED VALUE (Millions)	STRATEGIC PLAN PRIORITY RANK	POTENTIAL FOR RESOURCE LOSS	COOPERATIVE ACQUISITION	WILLINGNESS TO SELL	P-2000 CRITERIA
Kissimmee KCOL	63.5	2	L			4, 6
WCA	21 (fee and mineral)	27	L			4, 6
WMA 3	42	1	L	Various sources		4, 6
CREW	30	24	M	CARL Lee/Collier		1, 4, 6
Big Pine Key	0.5		H	Nature Conservancy		1, 4, 6
C-111	2		L		Yes	6
Model Land Basins	25.5		L	Dade County		6
Shingle Creek	4	5	M	Mitigation		4, 6
Lake Marion	15	26	M			4, 6
Savannah	9.6		H	CARL		1, 4
Pal Mar	23	25	M			1, 4, 6
Fisheating Creek	16		L		Yes	2, 6
Dade/Broward Levee	30		L	Dade County		4
Everglades Buffer Strip	1.6		L	Broward County		
Northfork St. Lucie	5.6		M	Local Gov't.	Yes	4, 6
Walker Ranch	13		M	Mitigation		4, 6

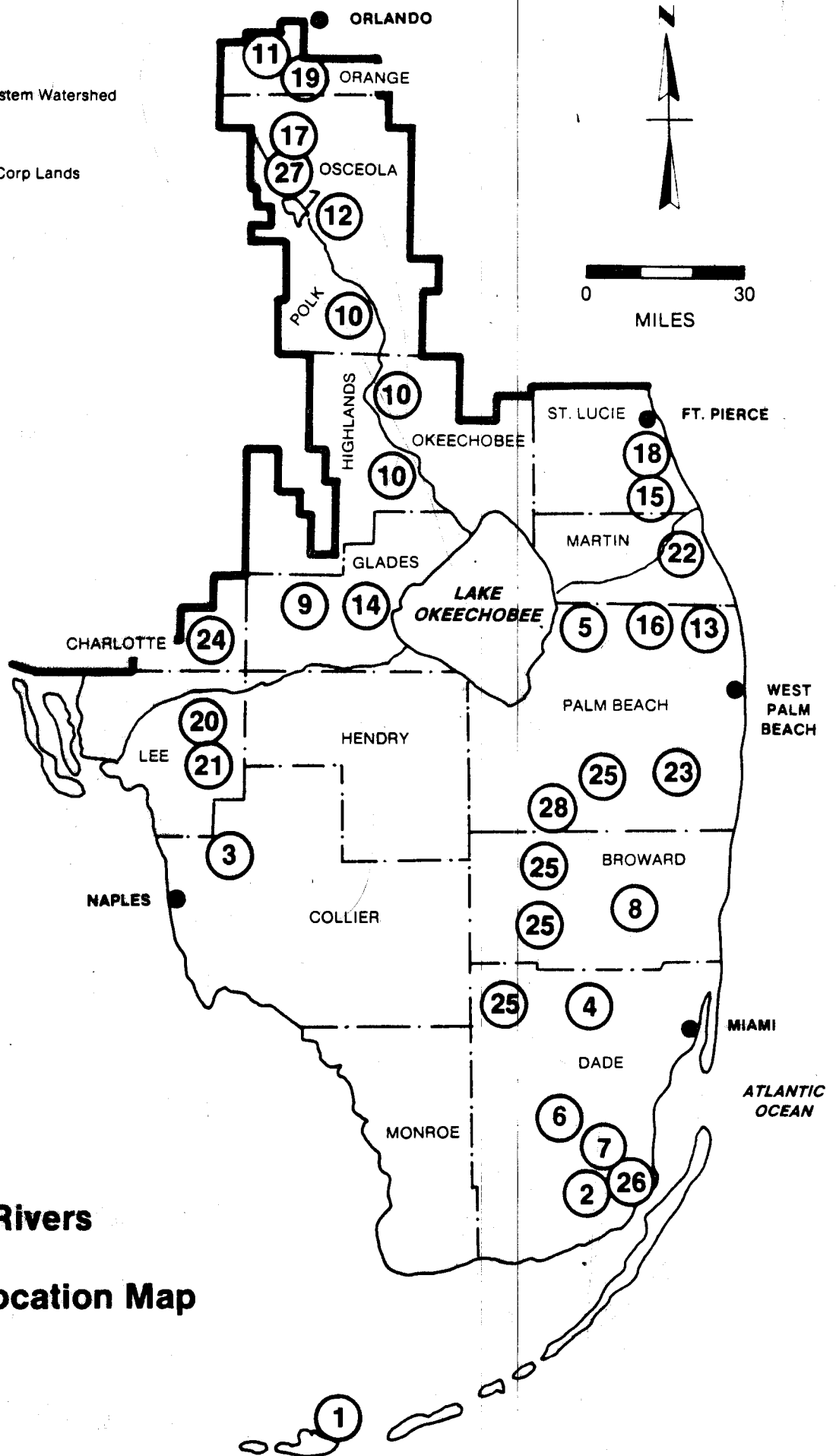
## ASSUMPTIONS

- P-2000 and SOR doc. stamps generate \$30,000,000/year.
- There are sufficient staff resources to execute the program.
- District adopts the proposed strategic plan.

## P-2000 CRITERIA

- 1 - Imminent danger of development
- 2 - Imminent danger of subdivision
- 3 - High rate of appreciation
- 4 - Groundwater recharge
- 5 - Purchase at 80% of appraised value
- 6 - Serves/Protects endangered habitat/species

1. Big Pine Key
2. Canal 111 Basin
3. Corkscrew Regional Ecosystem Watershed
4. Dade/Broward Levee
5. DuPont Reserve
6. East Everglades
7. East Everglades — Senior Corp Lands
8. Everglades Buffer Strip
9. Fisheating Creek
10. Kissimmee River
11. Lake Forest Preserve
12. Lake Marion Creek
13. Loxahatchee River
14. Nicodemus Slough
15. North Fork St. Lucie River
16. Pal-Mar
17. Reedy Creek Swamp
18. Savannahs
19. Shingle Creek Swamp
20. Six Mile Cypress I
21. Six Mile Cypress II
22. South Fork St. Lucie River
23. Strazzulla
24. Telegraph Swamp
25. Water Conservation Areas
26. Model Land Basins
27. Walker Ranch
28. Water Management Area 3



## Save Our Rivers Projects General Location Map

# Save Our Rivers Projects

<i>Completed/Partial Acquisitions</i>	<i>County</i>	<i>SOR Acres Acquired</i>	<i>Total Proposed Acquisition</i>
Big Pine Key	Monroe	81.3	605 <sup>2</sup>
C-111	Dade	26,747	29,643
DuPuis Reserve	Palm Beach Martin	21,875	21,875
East Everglades	Dade	17,292	48,600
Kissimmee River <sup>3</sup>	Osceola, Polk, Highlands Okeechobee, Glades	19,714	77,000
Lake Forest Nature Preserve	Orange	439	439
Loxahatchee River	Martin Palm Beach	1,461	1,547
Nicodemus Slough <sup>1</sup>	Glades	2,219	2,219
Savannahs <sup>1</sup>	St. Lucie Martin	0 <sup>4</sup>	5,100
Six Mile Cypress	Lee	794	1,996 <sup>5</sup>
South Fork St. Lucie River	Martin	100	184
Strazzulla	Palm Beach	1,225	1,225
Water Conservation Areas <sup>1</sup>	Broward, Dade Palm Beach	36,302	256,000

1) LEGISLATIVE MANDATE 373.59 F.S.

2) TOTAL PROJECT AREA (SOR OBJECTIVE - 200 ACRES) - REMAINDER TO BE ACQUIRED BY OTHERS.

3) RECOMMENDED BY KISSIMMEE RIVER 380 COMMITTEE AND THE GOVERNOR'S 1985 RESTORATION STRATEGY

4) 3500 ACRES ACQUIRED UNDER CONSERVATION AND RECREATION LANDS PROGRAM (C.A.R.L.)

5) INCLUDES SIX MILE CYPRESS II - 1989 ADDITION

6) ADDITIONAL 600 ACRES ACQUIRED BY LEE COUNTY

Handwritten calculation:  
 19,714 + 26,747 + 21,875 + 17,292 + 19,714 + 439 + 1,461 + 2,219 + 0 + 794 + 100 + 1,225 + 36,302 = 256,000



## Save Our Rivers Project

# BIG PINE KEY

County:	Monroe
Total Project Area:	605 Acres*
Acres Acquired:	81.3
Land Cost:	** \$479,263
Per Acre Cost:	\$10,390
Acres Remaining:	154
Estimated Assessed Value:	\$1,530,000
Number of Owners:	Numerous

### 1. General Description

The Big Pine Key project is designed to compliment the existing Key Deer National Wildlife Refuge. Land acquisitions are initiated by The Nature Conservancy and, by Governing Board action, the District's contribution will be limited to \$2,000,000.

### 2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:

The slough system located within the project comprises a substantial portion of the fresh water resources of the Florida Keys. The proposed project will protect all components of this system including groundwater lenses, fresh water wetlands, and upland recharge areas. The aquifers provide water supply to a limited number of single family residences and plant nurseries. Continued development threatens to contaminate the underlying fresh water lenses and degrade the Outstanding Florida Waters surrounding Big Pine Key.

### 3. Potential for Restoring and/or Protecting Natural State and Condition:

Acquisition of these critical water resource areas would protect them from future residential and commercial development. Additionally, thirty-nine (39) species designated as either endangered, threatened or of special concern by the State of Florida and/or the Federal Government have been identified in the project area. Protection of these lands and management in conjunction with the existing refuge would assure their continued availability to these species. Restoration measures

would involve the degrading of existing roadways and the filling of a number of small ditches constructed originally for mosquito control.

### 4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:

The long term management of this project will be provided by the U.S. Fish and Wildlife Service and/or The Nature Conservancy. Some interim maintenance in the form of trash and junk removal and posting will be provided by the District. Long-term management will involve habitat management, law enforcement patrol and regulation of public use.

### 5. Recreation Potential:

Some use of the property for passive activities such as hiking, birdwatching, and photography is anticipated. Hunting and ORV use should be prohibited to avoid damage to sensitive habitats.

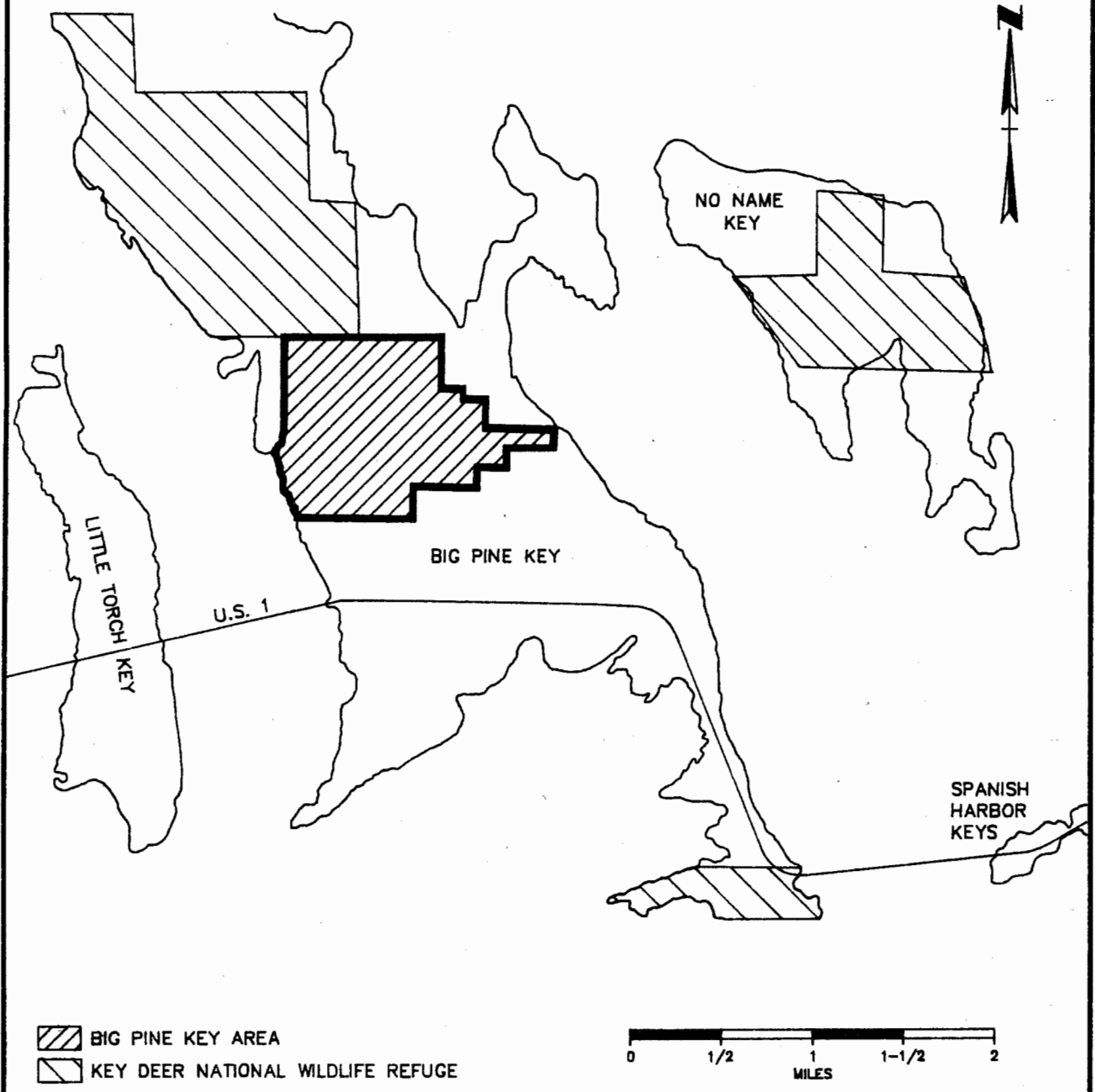
- \* 200 acres Save Our Rivers Project.  
Remainder of project to be purchased by others.
- \*\* only 46.124 acres closed



# Big Pine Key

LOCATION MAP



MONROE COUNTY



-  BIG PINE KEY AREA
-  KEY DEER NATIONAL WILDLIFE REFUGE

0 1/2 1 1-1/2 2  
MILES

## Save Our Rivers Project

# C-111

County:	Dade
Total Project Area:	29,643 Acres
Acres Acquired:	26,747
Land Cost:	\$6,897,562
Per Acre Cost:	\$258
Acres Remaining:	2,896
Estimated Assessed Value:	\$5,400,000

### 1. General Description

The lands in this project lie adjacent to the Canal 111 (Aerojet Canal), east of Everglades National Park, west of U.S. Highway 1 and south of SR 27. The project will benefit the flow of water into Everglades National Park and Northeast Florida Bay.

### 2. Land Stewardship Activities

#### A. Potential for Restoring and/or Protecting Natural State and Condition:

Major problems associated with periodic flood releases to Barnes Sound from C-111 and a reduction in sheet flow to Northeast Florida Bay have prompted the District to work with the National Park Service, the U.S. Army Corps of Engineers, South Dade agricultural interests, Florida Bay fishing interests, and a number of other federal, state and local agencies on a plan for structural and operational changes to the existing flood control system. An attempt is being made to restore a more natural distribution of flows to these tidewater zones while at the same time maintaining an acceptable level of flood protection for the South Dade area. The purchase of private lands adjacent to C-111 is necessary for implementation of restoration efforts and to assure that the biota of this portion of Everglades National Park, Florida Bay and Barnes Sound are protected from the harmful effects of urban and agricultural development.

#### B. Managing and Maintaining in an Environmentally Acceptable Manner:

Lands purchased to date are being managed by the Florida Game and Fresh Water Fish Commission (GFC) as part of the East Everglades Wildlife and Environmental Area (EEWEA) under an agreement

with the District. The District provides supplementary funding for the employment of a full-time biologist by the GFC. A conceptual management plan has been prepared for the EEWEA, and recommendations call for maintaining the C-111 portion in as pristine a condition as possible.

#### C. Public Recreation:

Hunting and trapping are prohibited in this area. The C-111 is open to boats with outboard motors. Fishing, sightseeing, and environmental education are the principal public recreation uses of the C-111 area.

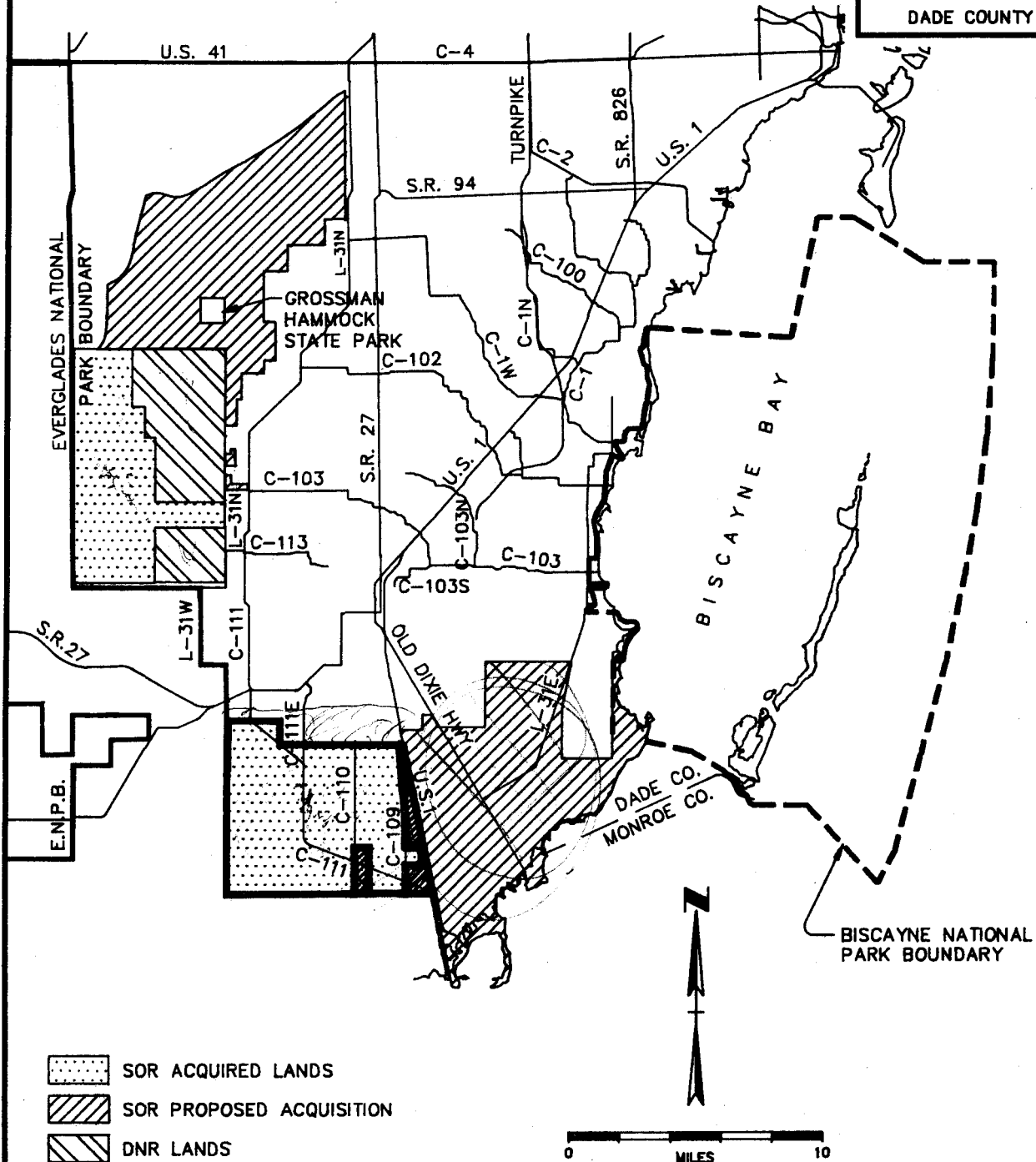
26  
17  
—  
43

# East Everglades/Canal 111 Basin and Model Land Basins

LOCATION MAP



DADE COUNTY



## Save Our Rivers Project

# DUPUIS RESERVE

<b>Counties:</b>	<b>Martin and Palm Beach</b>
<b>Total Project Area:</b>	<b>21,875 Acres</b>
<b>Land Cost:</b>	<b>\$23,000,000</b>
<b>Acres Acquired:</b>	<b>21,875</b>
<b>Per Acre Cost:</b>	<b>\$1,051</b>
<b>Acres Remaining:</b>	<b>0</b>

### 1. General Description

The DuPuis Reserve (formerly Whitebelt Ranch) encompasses 21,875 acres of improved and semi-improved pasture, pine flatwoods, and cypress forest in northwestern Palm Beach and Southwestern Martin Counties. It is bordered on the north by State Road 76 and the St. Lucie Canal, on the east by Caulkins Groves and the J.W. Corbett Wildlife Management Area, and on the south and west by the L-8 Canal and Tieback Levee. A Florida Power and Light Company transmission lines traverses the east side of the tract. The property is interspersed with numerous ponds, wet prairies, cypress domes and a remnant of Everglades marsh.

### 2. Land Stewardship Activities:

#### A. Restoring and/or Protecting Natural State and Condition:

An environmental assessment of the tract has been completed, and efforts are underway to restore a more natural hydroperiod to that portion of the property impacted by the existing drainage system. By retaining water on the property and reducing the rate of runoff, the District plans to revitalize the marshes, ponds and wet prairies, and benefit those species of wildlife that depend on these habitats.

The District has implemented a prescribed burning program in consultation with the Florida Division of Forestry. Objectives of the burning program include the reduction of hazardous fuel loads, the maintenance of healthy and vigorous native plant communities, and the improvement of wildlife habitat and forage. Care is being taken during burning operations to protect sensitive plant communities and endangered species habitat.

Posting of the reserve has been completed by District personnel, and routine patrols are being made by both trained law enforcement personnel, under a security contract, and the Florida Game and Fresh Water Fish Commission.

#### B. Managing and Maintaining in an Environmentally Acceptable Manner:

The District has entered into a Memorandum of Agreement (MOA) with the Florida Game and Fresh Water Fish Commission and the Department of Natural Resources for management of the property. A conceptual management plan has been prepared by John Ormsby Simonds, a consultant to the District.

Wetland Restoration began in 1989, with an extensive project for reflooding the L-8 Marsh proposed for 1991-1992.

A program has been implemented to combat the spread of exotics on the property. Both chemical and mechanical means are being employed to bring them under control.

Considerable effort has gone into the removal of underground fuel tanks, mobile homes, discarded equipment and trash associated with the former ranch operation. Buildings have been evaluated for both their soundness and possible use in the operation of the reserve.

Limited repairs have been made to several of the interior roadways. The need for replacement of the major culvert crossings along the main reserve road has been documented and studies are underway to determine the extent of repairs that will be necessary to bring the entire roadway up to a condition suitable for future public use.

#### C. Public Recreation:

A system of hiking trails has been developed by the Florida Trail Association under a Memorandum of Understanding (MOU) with the District. The system contains trails suitable for both day-use and overnight treks. Primitive campsites are available for backpackers.

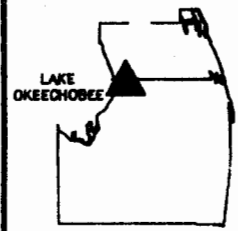
Public recreational activities on the reserve are being regulated by the GFC under rules established for the DuPuis Wildlife and Environmental Area. Public hunting for the taking of deer, hogs and turkey was initiated during the 1989-90 hunting season and consisted of a series of weekend hunts limited to 50 hunters per day. Results indicate that the hunts were of high quality and have resulted in the removal of a large number of feral hogs.

Under a separate MOU work is proceeding on a system of equestrian trails by the DuPuis Horsemen's Association (DHA). The two trail systems will be separated spatially, and care will be taken to locate the equestrian trails in non-sensitive areas which can support horse traffic.

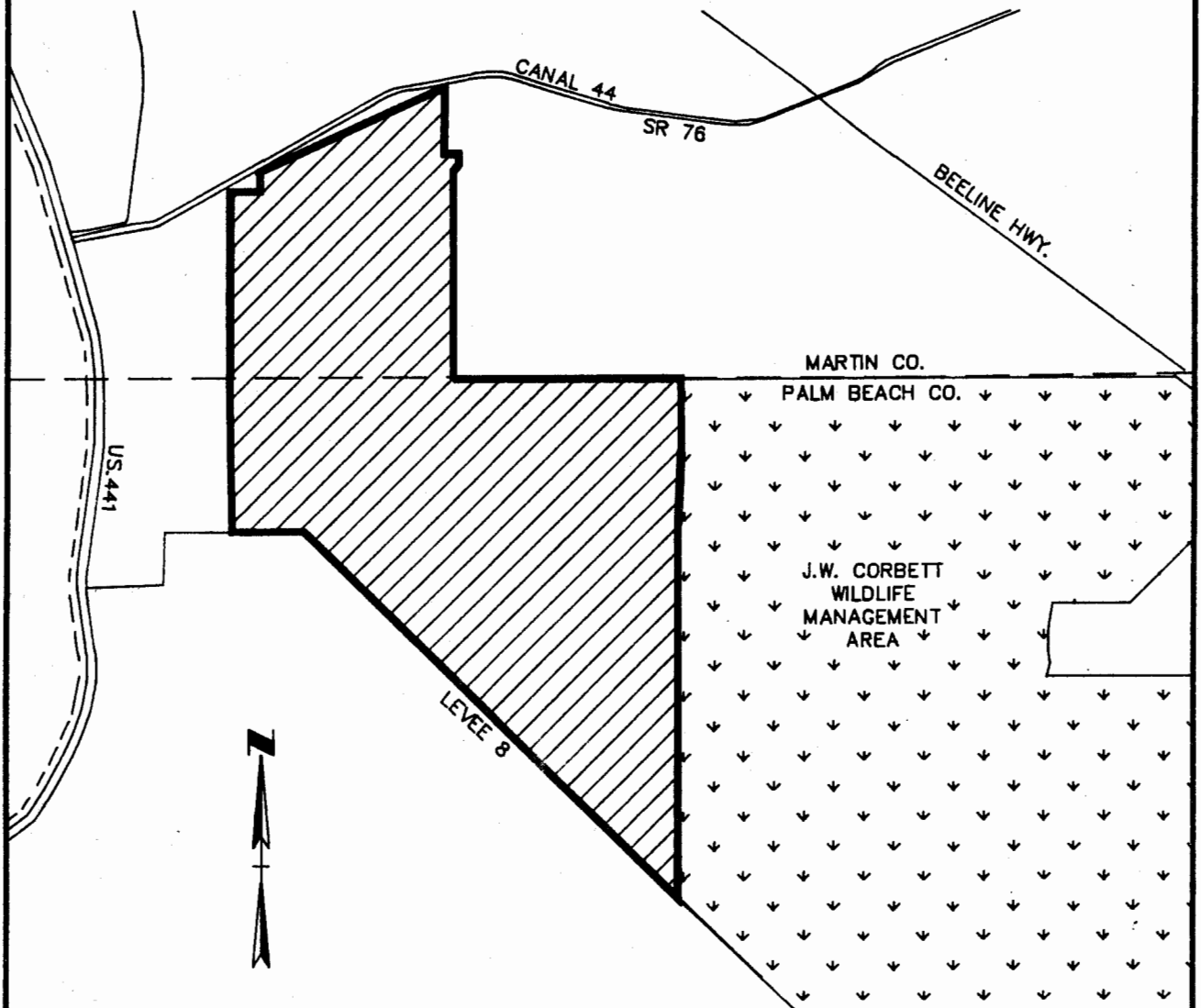
The District is currently working the Division of Forestry (DOF) to develop a separate MOU. The DOF is proposing to manage numerous programs on the Reserve

# Dupuis Reserve

## LOCATION MAP



MARTIN AND  
PALM BEACH COUNTIES



 DUPUIS RESERVE AREA





## Save Our Rivers Project

# EAST EVERGLADES

County:	Dade
Total Project Area:	48,600 Acres
Acres Acquired:	17,292
Land Cost:	\$7,322,114
Per Acre Cost:	\$423
Acres Remaining:	31,308
Estimated Assessed Value:	10,000,000

### 1. General Description

The East Everglades project includes nearly all the land between Everglades National Park and the agricultural lands in southwestern Dade County. The project is design to buffer the eastern boundary of the park from development pressure to the east and to restore predevelopment patterns of sheetflow to Shark River Slough.

### 2. Land Stewardship Activities

#### A. Restoring and/or Protecting Natural State and Condition:

The District has been working closely with the National Park Service, the US Army Corps of Engineers, local landowners, and state and local government in an effort to modify the operational criteria and physical features of the Central and Southern Florida Flood Control project to restore sheet flows to northeast Shark River Slough and Everglades National Park. A major new Dade County wellfield has been proposed for the East Everglades, and studies are underway to determine the probable impact of this wellfield on the area's ecology.

Acquisition of private lands within the East Everglades is viewed as necessary for effective management of the area's resources. Acquisitions to date have involved both the SOR and CARL Programs. These lands are currently being patrolled and managed by the Florida Game and Fresh Water Fish Commission (GFC) as the East Everglades Wildlife and Environmental Area (EEWEA) under separate agreements with the

District and the Florida Department of Natural Resources (DNR). An additional zone bordering the eight and one-half square mile East Everglades residential area, considered vulnerable to development, has been targeted for purchase under the SOR Program. Congress is considering a measure that would expand the boundaries of ENP to take in the remaining private lands and all or a portion of the State holdings.

#### B. Managing and Maintaining in an Environmentally Acceptable Manner:

A conceptual management plan (CMP) for the EEWEA has been prepared by the GFC and approved by the District and DNR. The District is furnishing supplementary funding for a GFC biologist assigned to the area, and recommendations are being developed for the restoration of wildlife habitat and management of the area's endangered and/or threatened species. An active program has been implemented in cooperation with the District, Dade County, the Florida Division of Forestry, and ENP for prescribed burning and exotic species control.

#### C. Public Recreation:

Recreational use in the East Everglades has consisted mainly of hunting, fishing, frogging, airboating. Airboats have been used to access the area. Extensive outcroppings of pinnacle rock limit airboat travel during low water periods. Historically, public use of this area has been subject to little, if any, governmental regulation. The East Everglades National Park Planning and Management Committee (380 Committee) cited the illegal dumping of garbage and trash, uncontrolled ORV travel, indiscriminate target shooting, and illegal hunting camps as major problems associated with public access. In an effort to address these concerns, the District contracted for the removal of Context Road, a major access road for illegal dumping. Steps are being taken to remove hunting camps when located. The GFC has established public-use regulations for the EEWEA and banned the use of tracked and wheeled vehicles, overnight camping, and littering. Efforts are also being made to curtail indiscriminate target shooting and dumping along the eastern perimeter. The GFC has banned the possession of firearms during periods when the area is not open to hunting by the use of firearms.

48,600  
22,000  
30,000

107,600

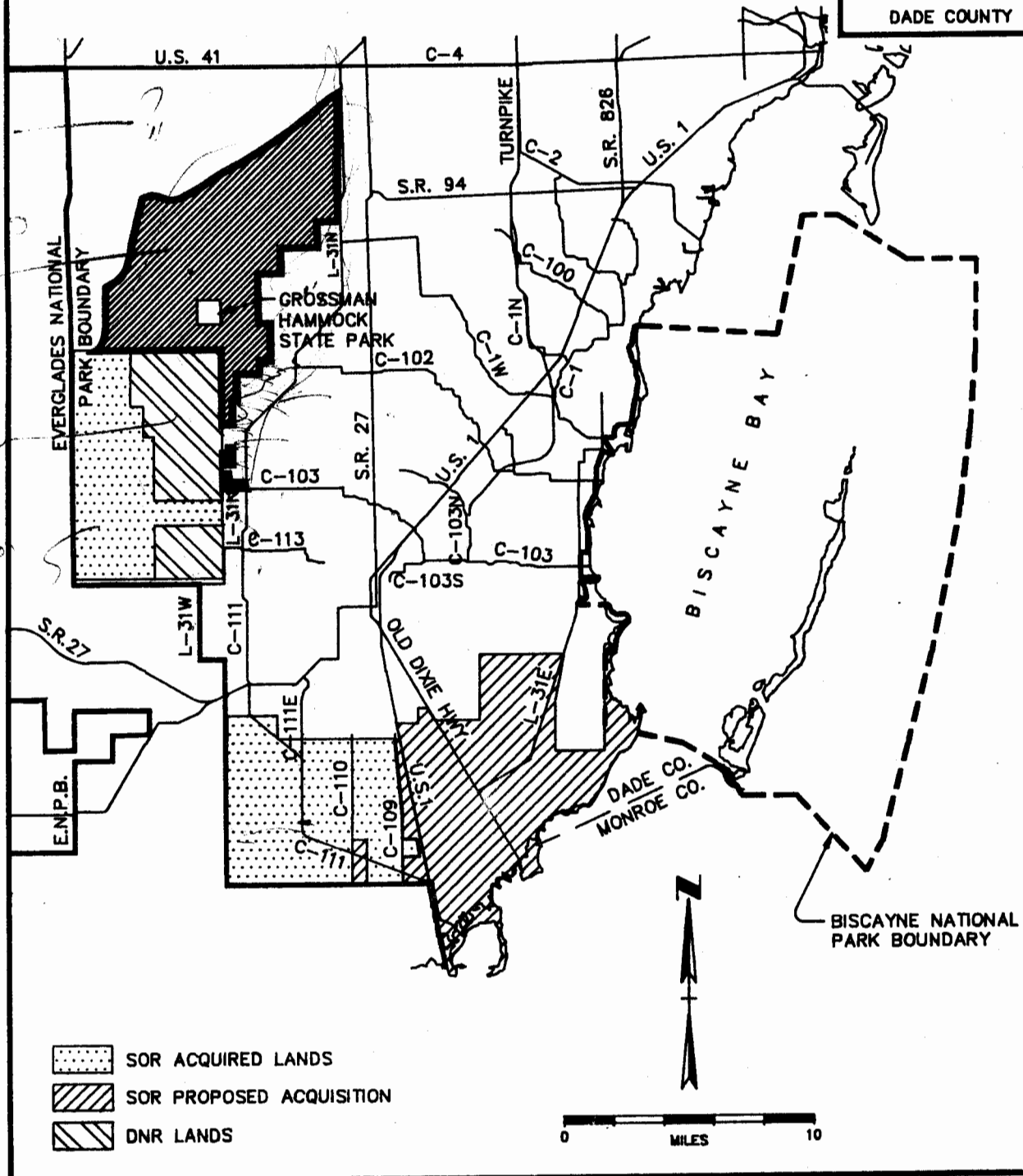
35,000

## East Everglades/Canal 111 Basin and Model Land Basins

LOCATION MAP



DADE COUNTY



April 6/85 Onmsmt 1,732,835,000  
 Leasehold  
 Reason 2.35 Easmt  
 \$27,000

## Save Our Rivers Project

# KISSIMMEE RIVER

**Counties:** Osceola, Polk, Okeechobee  
and Highlands

**Total Project Area:** 177,000 Acres

**Acres Acquired:** 19,714 Acres

**Land Cost:** \$20,007,300

**Per Acre Cost:** \$1,000

**Acres Remaining:** 155,000 Acres

**Estimated Assessed Value:** \$69,000,000

### 1. General Description

The project area covers nearly 77,000 acres. Of this, some 19,714 acres have been acquired through the SOR program. Over 57,000 acres represents the historic flood plain of the Kissimmee River. This land is necessary for the restoration of the River under the governor's Save Our Everglades program. For 1991 the project has been expanded to include the 20,000 acres of lake shoreline, known as the Kissimmee Chain of Lakes. This project includes the acquisition of fee title or flowage easements. The purpose of the additional acquisition is to allow stages in these lakes to be raised from 52.5' NGVD to 54.0' NGVD. It is our understanding that the Sovereign Ownership line is 53.1 NGVD. The additional water is needed to "drive" the restoration project, by providing year round flow.

### 2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:

All of the attributes of free flowing rivers, including attenuation of flood discharges, providing year round base flows, water quality improvement and wildlife habitat, were lost when Canal 38 was excavated. District ownership of the historic flood plain is necessary if restoration of the river is to be accomplished.

### 3. Potential for Restoring and/or Protecting Natural State and Condition:

Construction of water control structures in Rattlesnake Hammock were completed in 1990.

Fluctuations of water levels within the flooded slough will result in the reflooding of 130-565 acres of flood plain. Engineering design for the restoration of Ice Cream Slough is complete and undergoing permit review by the Department of Environmental Regulation. Major restorations will require filling portions of the existing Canal 38 channel.

### 4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:

Management of lands in the Kissimmee Valley will be time and manpower intensive. Prior to restoration projects beginning, control of shrubs and exotic vegetation could be difficult as well. Blocking the numerous drainage ways and restoring sheetflow into the flood plain will be a major task. Even if other organizations are willing to manage the lands, the District will still be responsible for hydrologic restoration. Given the size of the project, this will be a large and ongoing undertaking.

### 5. Public Recreation:

Existing recreational activities consist primarily of power boating and fishing in Canal 38, and those oxbows of the river that were not cut off as a result of project construction. There are opportunities for bank fishing and picnicking at several access sites along the river. Improvement of flows into the river oxbows will increase the opportunities for fishing, canoeing, nature observation and waterfowl hunting. Thirty-six (36) miles of the Florida National Scenic Trail were dedicated in June at a joint ceremony held by the District, the Florida Trail Association, the USDA Forest Service, and the Avon Park Air Force Range. Additional sections of trail will be developed as contiguous parcels of land are acquired by the District. The long range plan is to extend the trail the full length of the river.

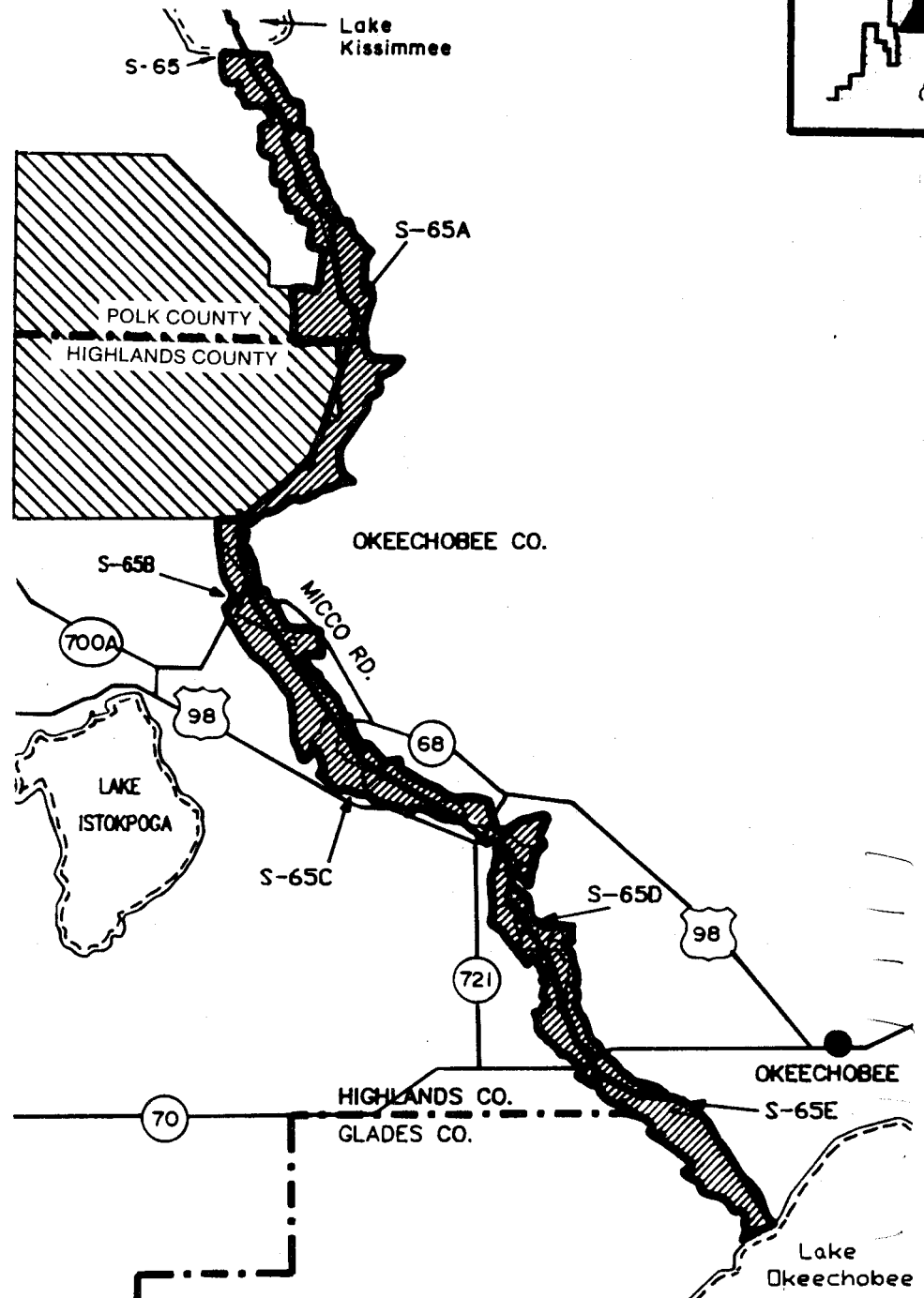
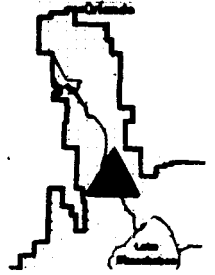
<sup>1</sup> Approximate sizes



KCOL Baym Lightsey  
 Hunt # 024-000  
 Cloud 12/11/90

Kissimmee  
 Polk 1634 2,142,000  
 Forish 1905 3,000,000  
 3539

# Kissimmee River

LOCATION MAP

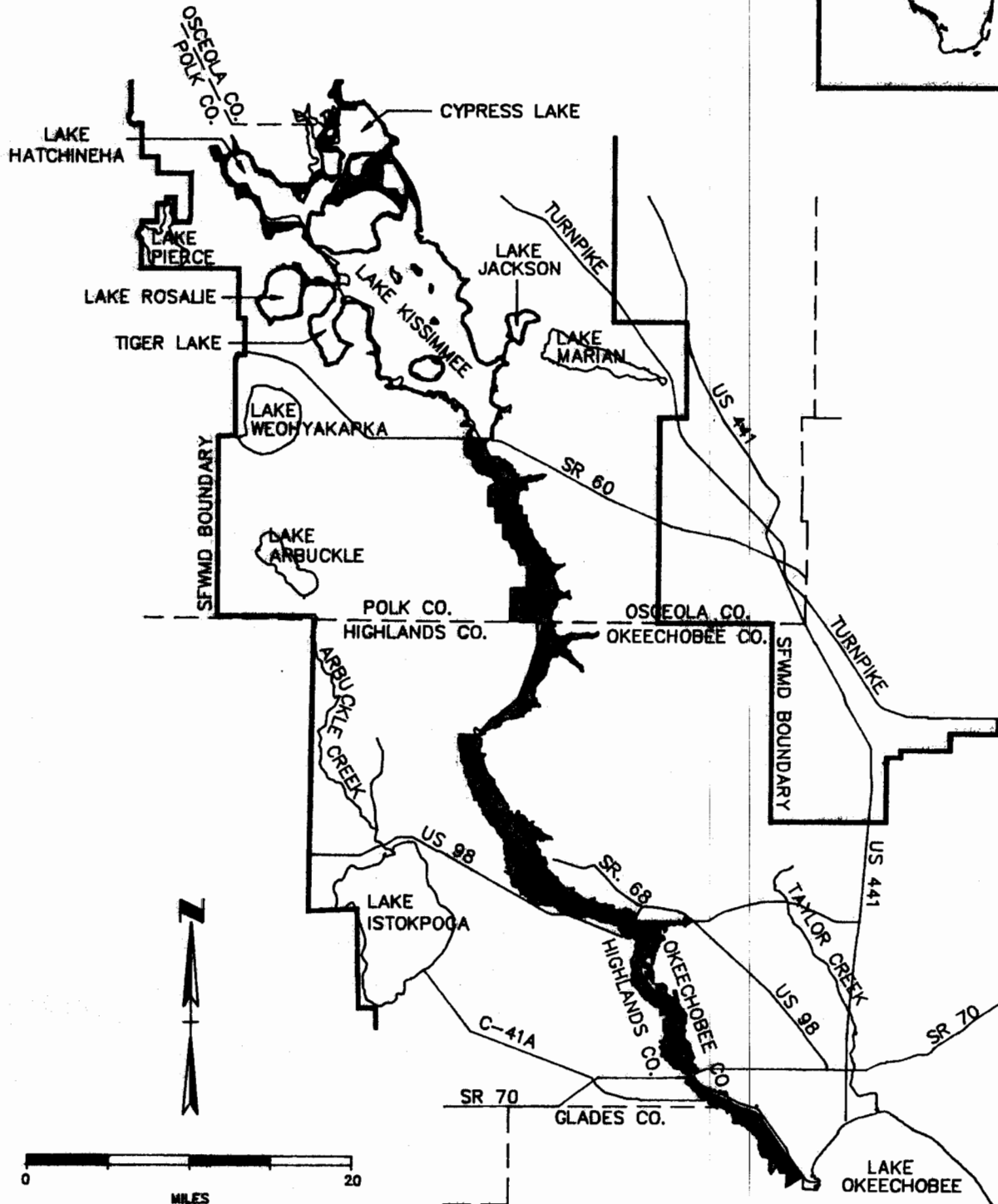


-  KISSIMMEE RIVER AREA
-  AVON PARK BOMBING RANGE

0 MILES 5

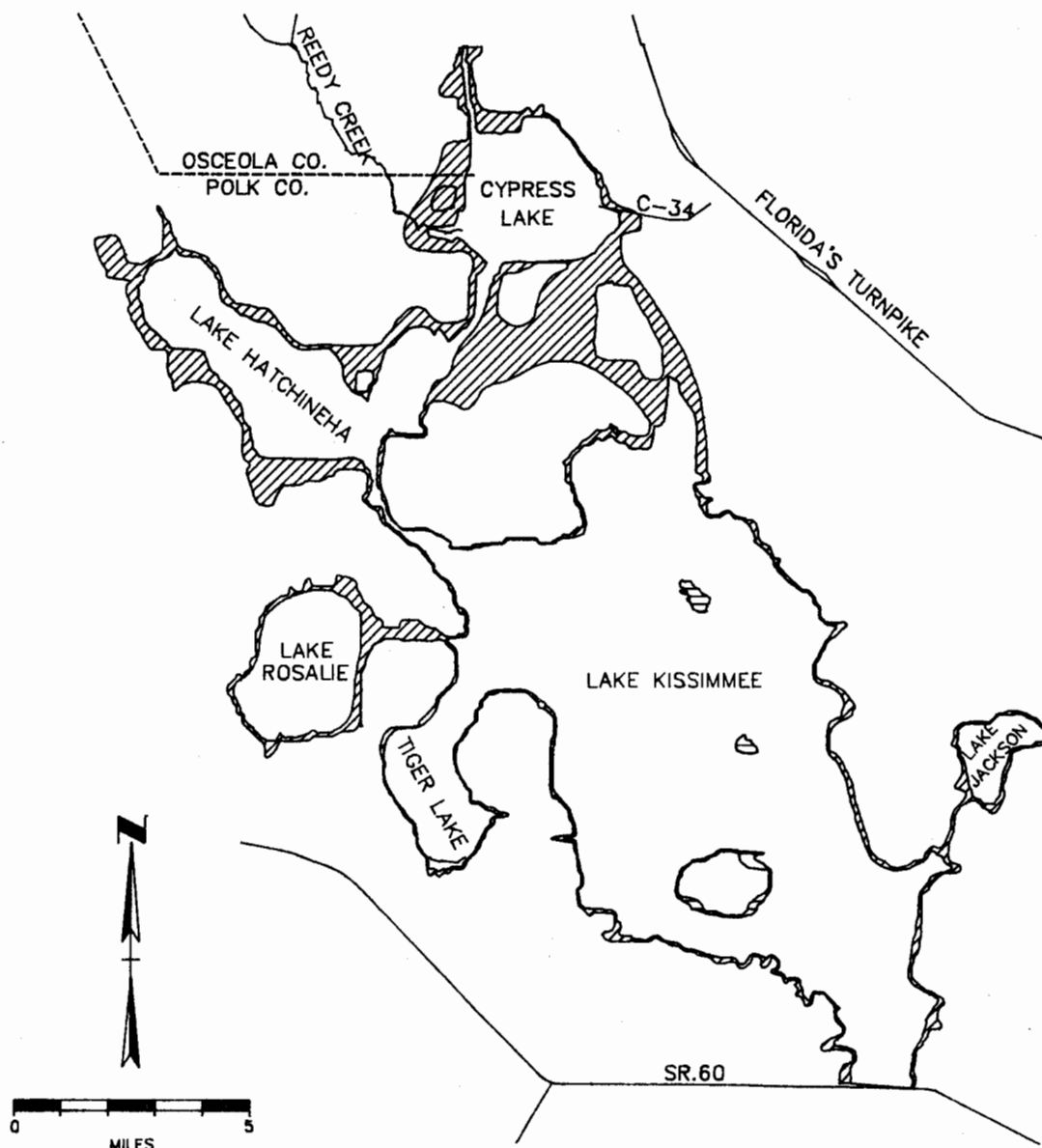
# Kissimmee River and Kissimmee Chain of Lakes

LOCATION MAP



# Kissimmee Chain of Lakes

LOCATION MAP



AREA BETWEEN 52.5 AND 54.0 FEET (NGVD)

## Save Our Rivers Project

# LAKE FOREST PRESERVE

County:	Orange
Total Project Area:	439 Acres
Acres Acquired:	439
Land Cost:	\$3,700,000
Per Acre Cost:	\$8,428
Acres Remaining:	0

### 1. General Description

The preserve covers 439 acres along the southwest shore of Lake Tibet-Butler in Orange County. It consists of a mixture of cypress, bay swamp and pine flatwoods and contains areas of freshwater marsh, xeric oak, pine plantation, and sphagnum bog. State Road 535 (Winter Garden - Vineland Road) traverses the southwest edge of the property.

### 2. Land Stewardship Activities:

#### A. Restoring and/or Protecting Natural State and Condition:

A majority of the preserve lies within the flood plain of Lake Tibet-Butler and is subject to seasonal inundation. Man-made alterations have been rather minor. Efforts will be primarily directed toward activities that assure that inflows from areas adjacent to the preserve have acceptable water quality and protect the site from unauthorized vehicular access and other harmful activities, such as poaching and timber harvesting.

#### B. Managing and Maintaining in an Environmentally Acceptable Manner:

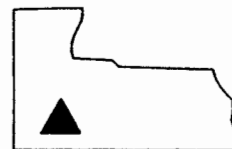
Orange County has agreed to operate and maintain the property as a nature preserve under an agreement with the District. Management goals will include wetland and wildlife preservation, public education, and passive nature oriented recreation. Management activities will include prescribed burning (to reduce hazardous fuel loads and maintain the structure of vegetative communities), selective clearing to stimulate tree growth, reforestation of damaged sites, exotic species control, and habitat improvement and protection.

### C. Public Recreation:

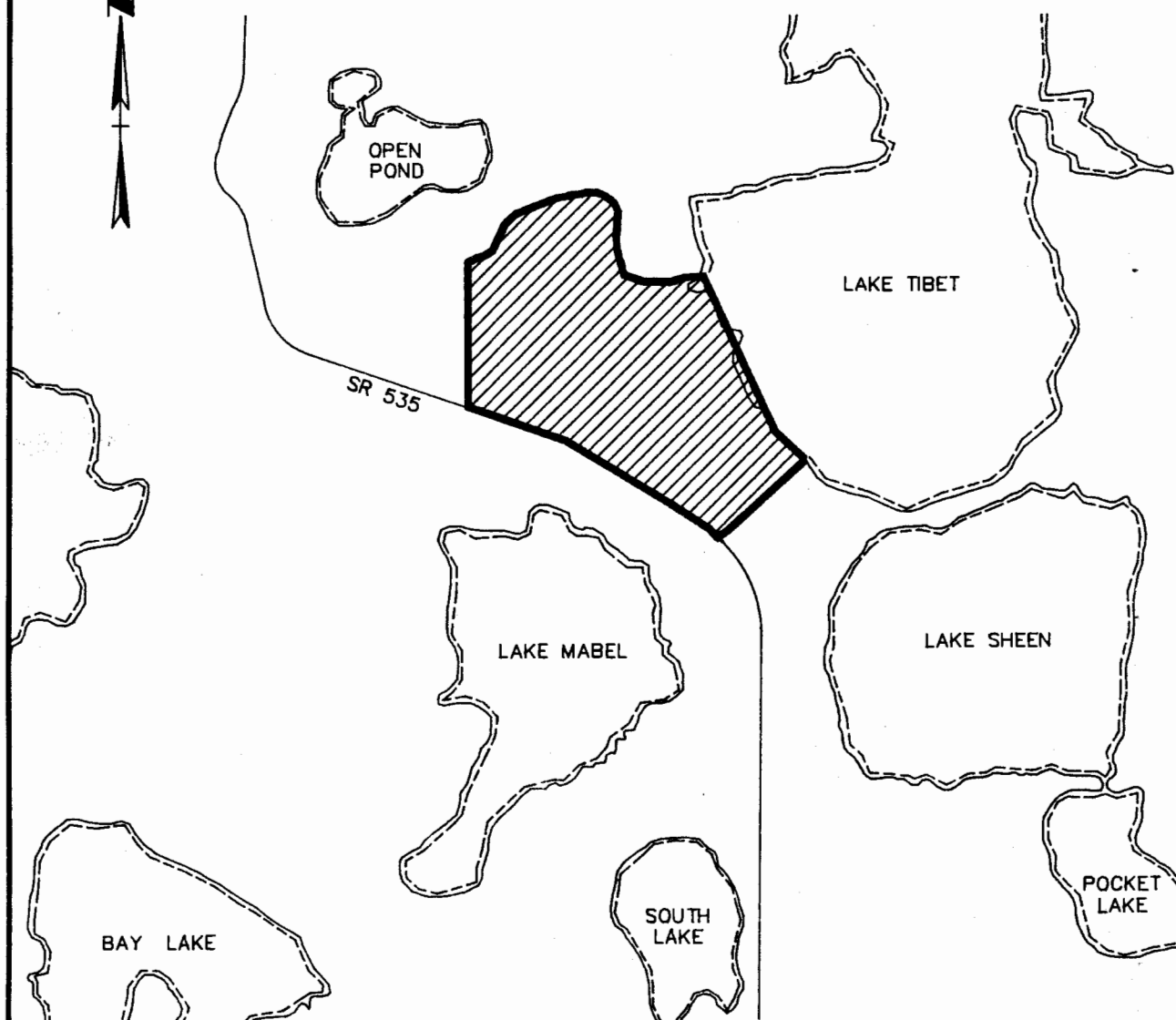
A master plan for the preserve has been prepared by a consultant hired by Orange County. A phased program of improvements is proposed for the preserve to include a nature center, amphitheater, observation tower, overlooks, hiking/nature trails, individual and group picnic facilities, restrooms, parking areas, an entrance road and signs. Consideration will also be given to the designation of a primitive camping area to enhance the visitor's wilderness experience. Environmental education and awareness will be the main thrust of the visitor programs conducted at the center.


# Lake Forest Preserve

LOCATION MAP



ORANGE COUNTY



 LAKE FOREST PRESERVE AREA





## *Save Our Rivers Project*

# **LOXAHATCHEE RIVER**

<b>Counties:</b>	<b>Martin and Palm Beach</b>
<b>Total Project Area:</b>	<b>1,547 Acres</b>
<b>Acres Acquired:</b>	<b>1,461</b>
<b>Land Cost:</b>	<b>\$7,020,968</b>
<b>Per Acre Cost:</b>	<b>\$4,805</b>
<b>Acres Remaining:</b>	<b>86</b>
<b>Estimated Assessed Value:</b>	<b>\$3,500,000</b>

### **1. General Description**

This project includes the historic flood plain of the Northwest Fork of the Loxahatchee River, a National Wild and Scenic River.

### **2. Land Stewardship Activities**

#### **A. Restoring and/or Protecting Natural State and Condition**

The District has been working closely with the Florida Department of Natural Resources (DNR), Palm Beach County, and a variety of local agencies and interest groups on plans to preserve and protect the Loxahatchee River and a major portion of its headwaters (Loxahatchee Slough). Extensive studies on the water supply and drainage requirements of the Loxahatchee River Basin have been completed. The latter work has facilitated the restoration and maintenance of base flows to the Northwest Fork and will help to reduce the frequency of discharge at S-46 which flows into the North Fork of the river and has caused downstream erosion and siltation problems in the past. In combination with other measures, the enhancement of flows to the Northwest Fork should help to stem the progress of the saltwater front which has advanced upstream in recent years resulting in heavy mortality of bald cypress along the river.

#### **B. Managing and Maintaining in an Environmentally Acceptable Manner**

The District and DNR are working to implement the Loxahatchee River Wild and Scenic River Management Plan which was prepared in 1985 as a

requirement for inclusion of this portion of the river in the National Wild and Scenic River System. The District has purchased most of the private lands along the Northwest Fork and efforts have been made to post the properties, repair fences and gates, remove trash and debris, and otherwise bring them up to safe and acceptable conditions. Lands north of Indiantown Road (State Road 706) will be managed by DNR, in conjunction with Jonathan Dickinson State Park, and lands south of the highway by Palm Beach County under separate agreements with the District. Management activities will include law enforcement, prescribed burning, exotic specie control, public-use regulation, development of hiking trails, interpretive programs, and in general, carry out the intent of the Management Plan.

### **C. Public Recreation**

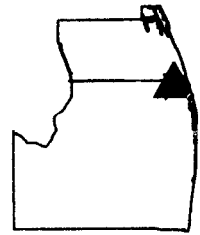
The Loxahatchee National Wild and Scenic River has become a popular canoe trail in recent years. The number of canoeists has increased so dramatically that severe overcrowding is not uncommon on peak days. Concerned about damage to fragile plant species and the maintenance of a quality outdoor experience, DNR is working with Palm Beach County and local livery operators to identify a daily carrying capacity for the river and to implement appropriate user regulations.

Fishing and powerboating is mainly confined to the lower reaches of the river; however, boaters frequently travel upriver to the Trapper Nelson site. A No Wake Zone has been established by DNR in an attempt to control erosion and avoid conflicts between boaters and canoeists.

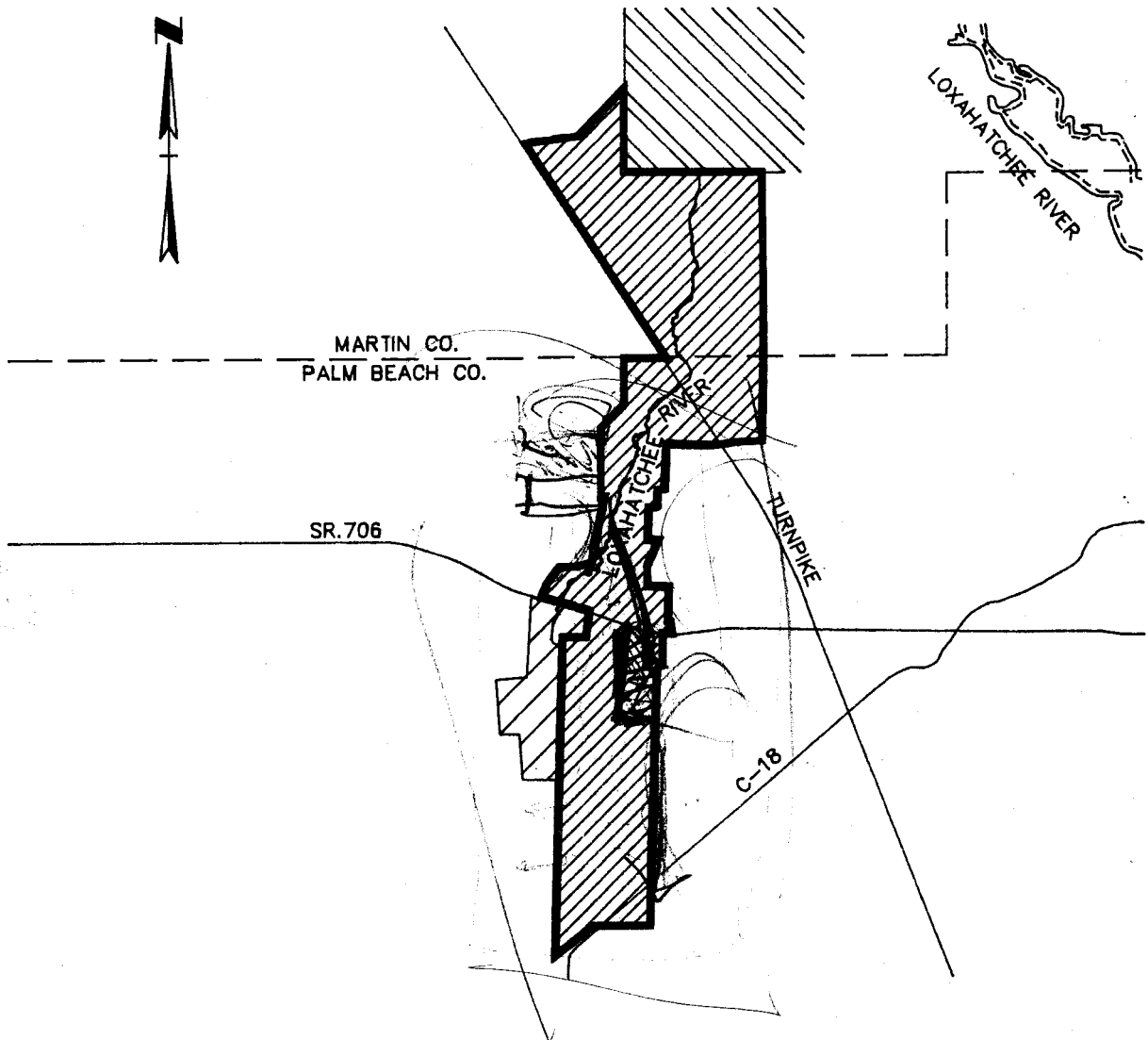
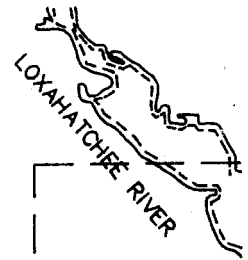
In the future Public-use management will concentrate on providing opportunities for non-consumptive recreational pursuits, such as hiking, nature appreciation and photography, through the provision of interpretive sites, boardwalks, and footpaths. Palm Beach County is considering the development of a campground and interpretive center in its plans for Riverbend Park. Preliminary discussions have been held with the Florida Trail Association regarding the development of a future major connector trail that would link Jonathan Dickinson State Park to the proposed Florida National Scenic Trail around Lake Okeechobee.




# Loxahatchee River

LOCATION MAP



MARTIN AND  
PALM BEACH COUNTIES



-  LOXAHATCHEE RIVER AREA
-  JONATHAN DICKINSON STATE PARK
-  RIVER BEND COUNTY PARK



## Save Our Rivers Project

# NICODEMUS SLOUGH

County:	Glades
Total Project Area:	2,219 Acres
Acres Acquired:	2,219
Land Cost:	\$1,800,000
Per Acre Cost:	\$811
Acres Remaining:	0

### 1. General Description

Nicodemus Slough encompasses approximately 2200 acres of wet prairie, broadleaf marsh and transitional wetland (cordgrass) south of the Herbert Hoover Dike (LD-3) and west of State Road 78. Scattered tree growth occurs along the western edge of the tract. It was targeted for purchase in the original SOR legislation because the land floods periodically under the higher regulation stages, in Lake Okeechobee. The property was used for cattle grazing.

### 2. Land Stewardship Activities:

#### A. Restoring and/or Protecting Natural State and Condition:

Until recently, the construction of the Herbert Hoover Dike, coupled with the maintenance of lower stages in Lake Okeechobee, resulted in a shortened hydroperiod and general lowering of water levels in Nicodemus Slough. This in turn altered vegetative patterns on the property and permitted the spread of transitional and upland species. The installation of new water control structures and associated improvements to the C-19/L-41/42 system will enable the retention and manipulation of flood waters on the property that result from runoff and higher lake stages. A marsh revitalization program has been proposed by District staff for implementation in the future, following the completion of the new water control facilities.

#### B. Managing and Maintaining in an Environmentally Acceptable Manner:

Conceptual and operational management plans for the property will be developed by District staff. Future management activities will concentrate on

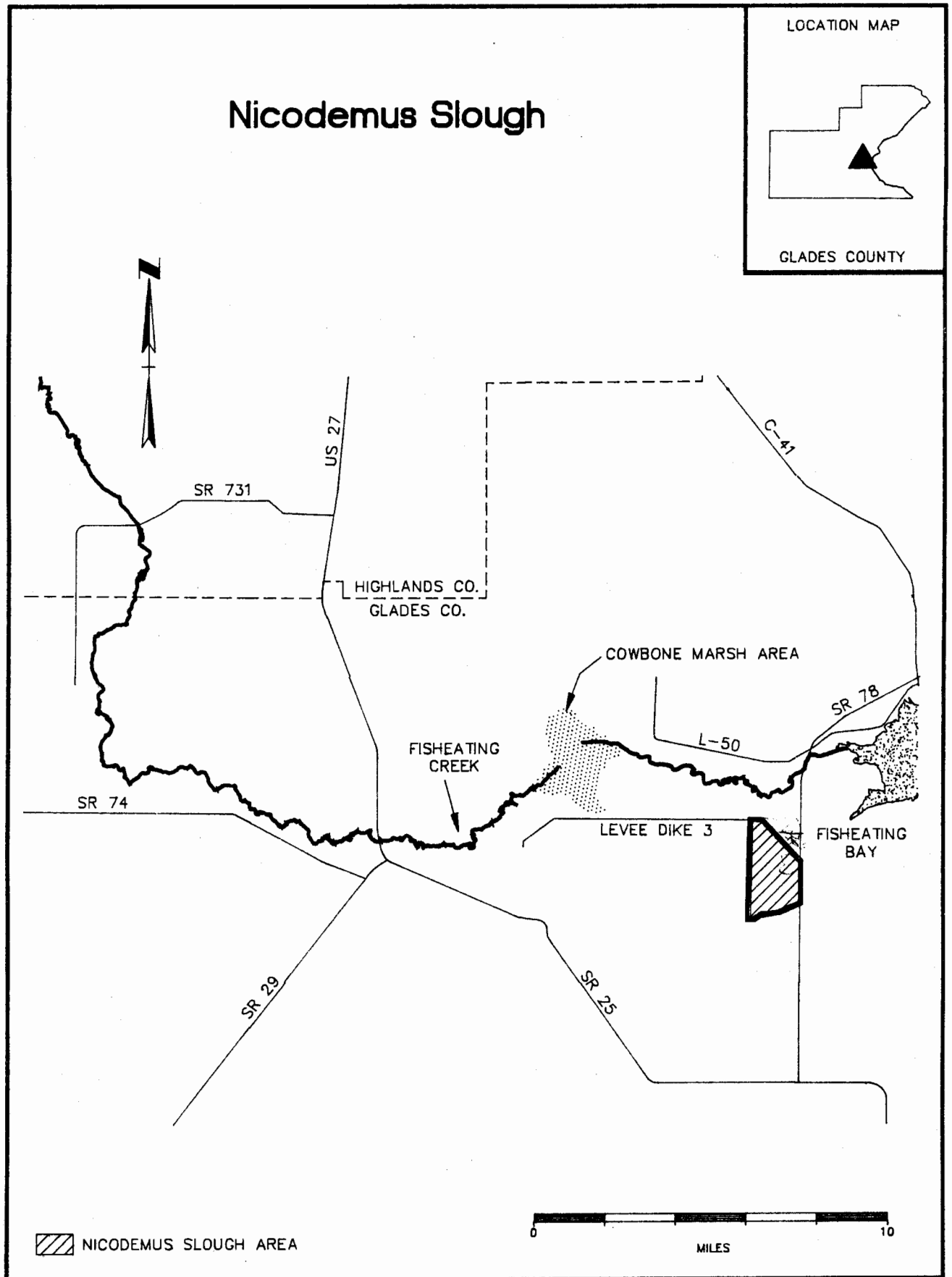
the regulation of water levels and other habitat restoration measures designed to increase the use of the area by waterfowl and wading birds. The possibility of a cooperative management effort with a suitable government or private non-profit organization will be investigated.

### C. Public Recreation:

Some unauthorized hunting has taken place on the property since it was acquired by the District, and there is local interest to open the area to airboat use. Some limited waterfowl hunting may be feasible in the future; however, the use of airboats and other types of motorized craft does not appear compatible with the goal of improving the habitat for waterfowl and wading birds, particularly in light of the limited size of the tract. The property is probably best suited for operation as a wildlife viewing area and should be limited to passive, non-consumptive activities.

*ES Monitoring as per  
permit needed  
schedule, objection  
etc.*

*COOP - 12/1/12/5  
(Recreation  
Glades County COOP  
Tied to Rec Grant?)*



## Save Our Rivers Project

# SAVANNAHS

**County:** St. Lucie and Martin  
**Total Project Area:** 5,100 Acres<sup>1</sup>  
**Estimated Assessed Value:** \$10,000,000  
**Number of Owners:** Numerous

### 1. General Description

The Savannahs is located between the coastal dune, west of the Indian River, and the pine flatwoods of southeastern St. Lucie County. The Savannahs extend into Northern Martin County. The Department of Natural Resources (DNR) has acquired approximately 3500 acres under the Conservation and Recreation Lands (CARL) program. This area is managed by DNR as the Savannahs State Preserve. The 1600 acres is the remainder of the project to be acquired and the District and DNR would cooperate in acquisition.

### 2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:

The freshwater aquifer which underlies the Savannahs is not productive enough for municipal uses, but the recharge that occurs along the coastal ridge serves to hold back the saltwater wedge, thereby reducing the danger of saltwater intrusion. Habitat types are diverse and include sand pine scrub, openwater sloughs, emergent marshes and low pine flatwoods. The wetlands are important feeding and nesting sites for wading birds in St. Lucie and Martin Counties whose habitat has been lost to urban development. The Savannahs is under heavy development pressure on both the east and west sides.

### 3. Potential for Restoring and/or Protecting Natural State and Condition:

The Savannahs is one of the most unique and endangered natural systems in the District. It is a remnant coastal wetland system which historically extended along most of the Southeast Florida coast. Most of the area is in its natural state, thus eliminating the need for restoration. The wetlands are highly susceptible to degradation by stormwater inputs from urban development.

### 4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:

Exotic plant growth is minimal. Wetland communities are still in good condition. Extensive hydrologic restoration does not appear necessary. Management of the additional lands would be undertaken by DNR as part of the Savannahs State Preserve.

### 5. Public Recreation:

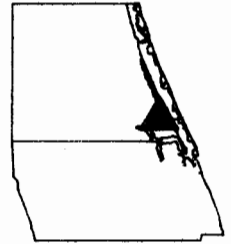
Public use of the Savannahs is very high. It is used extensively by fishermen, canoeists and photographers. Its close proximity to urban population centers will increase the use by the public and school groups.

<sup>1</sup>3500 Acres acquired under Conservation and Recreation Lands Program (CARL)

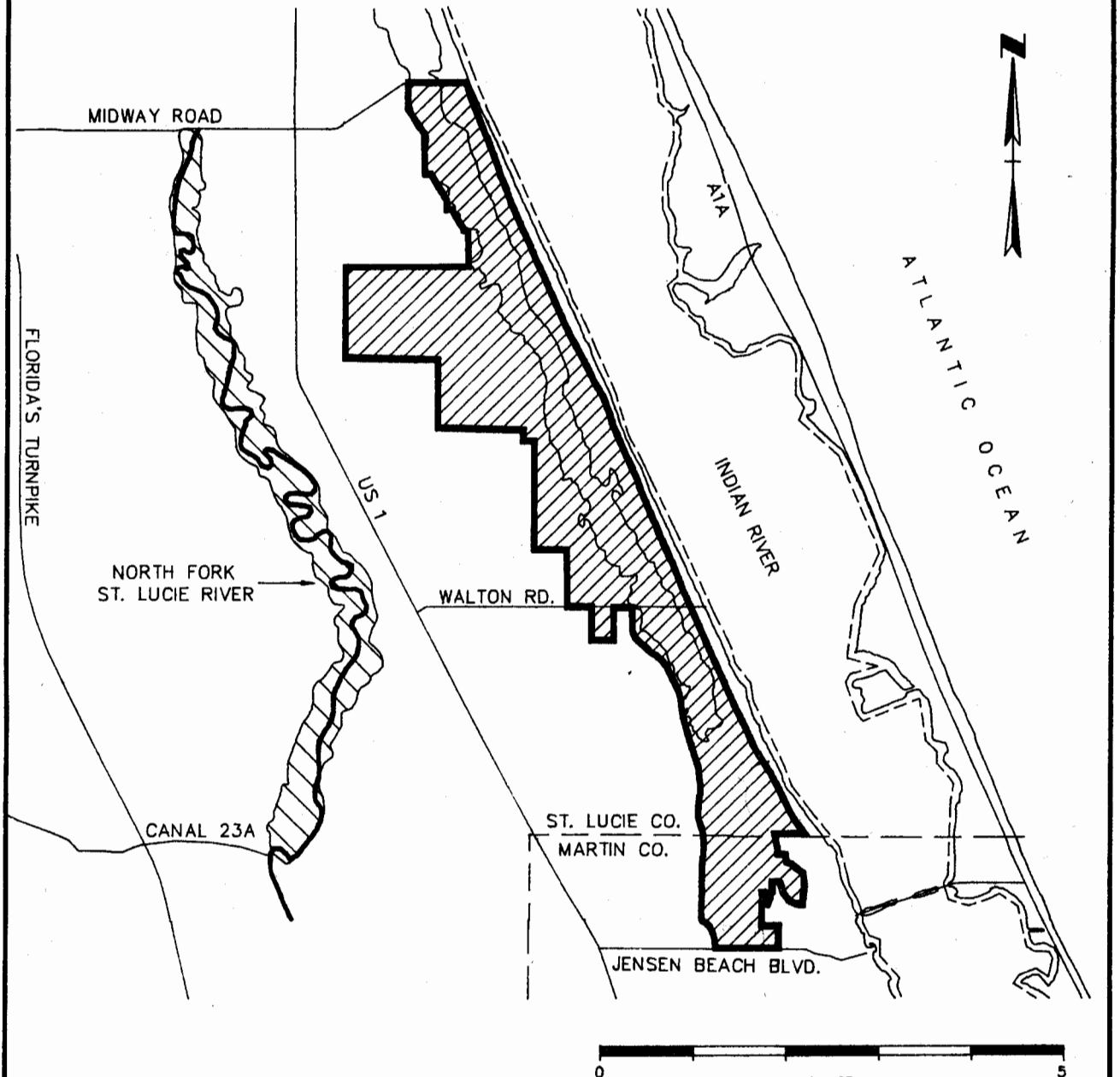
Spicus  
Mountain G.B.  
77 Ac  
\$4.1 million

# Savannahs

LOCATION MAP



ST. LUCIE AND  
MARTIN COUNTIES



 SAVANNAHS STATE RESERVE AREA

NOTE: AREA SHOWN IS TOTAL PROJECT (5100 AC) SOR ACQUISITION IS ONLY 1600 AC.

## Save Our Rivers Project

# SIX MILE CYPRESS I

County:	Lee
Total Project Area:	11,741 Acres
Acres Acquired:	794
Land Cost:	\$1,520,321
Per Acre Cost:	\$1,914
Acres Remaining: (SOR)	10

(See Also Six Mile Cypress II)

### 1. General Description

Six Mile Cypress Slough occupies approximately 2000 acres in Lee County southeast of the City of Ft. Myers. It extends from State Road 82 southwesterly for approximately nine miles to Ten Mile Canal. The slough averages 1,500 feet in width. The Slough consists of cypress swamp, interspersed with numerous open ponds. It is fringed with pine flatwoods, transitional hardwoods, wet prairies, and Melaleuca. Melaleuca has become the dominant vegetation type south of Daniels Road.

### 2. Land Stewardship Activities:

#### A. Restoring and/or Protecting Natural State and Condition:

Lee County has agreed to develop, operate and maintain the slough as a nature preserve under an agreement with the District. A detailed description of the slough is contained in the Six Mile Cypress Slough Management Plan prepared by the County in 1986. Specific actions to implement the plan are set forth in the Six Mile Cypress Slough Preserve Land and Water Management Plan prepared by the County and approved by the District in 1988.

Six Mile Cypress Basin is being studied as part of the Lee County Surface Water Management Master Plan. It will recommend design criteria to prevent further degradation and slough enhancement. A principal objective will be to restore a more natural hydroperiod to aid in the restoration of this ecological condition.

A water management plan is being prepared by the District as part of its local government assistance program. It will include recommended regulatory criteria for consumptive use and surface water drainage in the area draining into the slough and be used by the County to develop a water management program for the preserve.

Melaleuca and Brazilian Pepper are problem exotics that have proliferated in certain portions of the slough. Native vegetation has been completely replaced by Melaleuca in approximately 200 acres. A vigorous eradication/control program involving chemical and mechanical applications is planned to halt the future spread of these species. Reforestation with native species will be undertaken where large stands of exotics are removed.

#### B. Managing and Maintaining in an Environmentally Acceptable Manner:

The entire perimeter of the slough is being posted to prevent unauthorized access, and problem areas are being fenced and/or barricaded. Routine patrol will be provided by preserve personnel and the Lee County Sheriff's Department.

A prescribed burning program is proposed for the pine flatwoods north of Penzance Road to maintain the species composition of this community and prevent the buildup of fuels that could result in damaging wildfires. Fire lanes will be constructed to facilitate the burns and to protect sensitive cypress and hardwood areas. Wildfires will be suppressed only when considered necessary to protect adjacent lands and highway travel or when preserve resources would be subject to irreparable damage.

The USDA Soil Conservation Service will be conducting a study to determine if continued grazing is compatible with the objectives of the preserve. If so, an appropriate grazing plan will be prepared and implemented.

A complete list of wildlife species utilizing the slough is contained in the County's original management plan. Monitoring the occurrence of wildlife will be continued to determine if any changes in usage occurs. Consideration will be given to the needs of wildlife in reforestation efforts. Nest boxes will be installed to benefit cavity nesters, such as wood ducks, owls, and woodpeckers.

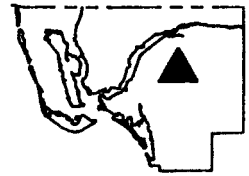
#### C. Public Recreation:

The slough has been used informally for both active and passive recreational activities for many years. The continuation of passive activities such as fishing, picnicking, photography and nature observation will be encouraged in appropriate locations within the preserve. Interpretive facilities consisting of an elevated boardwalk, covered amphitheater and parking area will be developed to enhance visitor appreciation of the preserve. Special programs will be conducted by the Lee County Parks and Recreation Department. The Lee County School Board Department of Environmental Education will continue its past practice of conducting field trips to the slough.

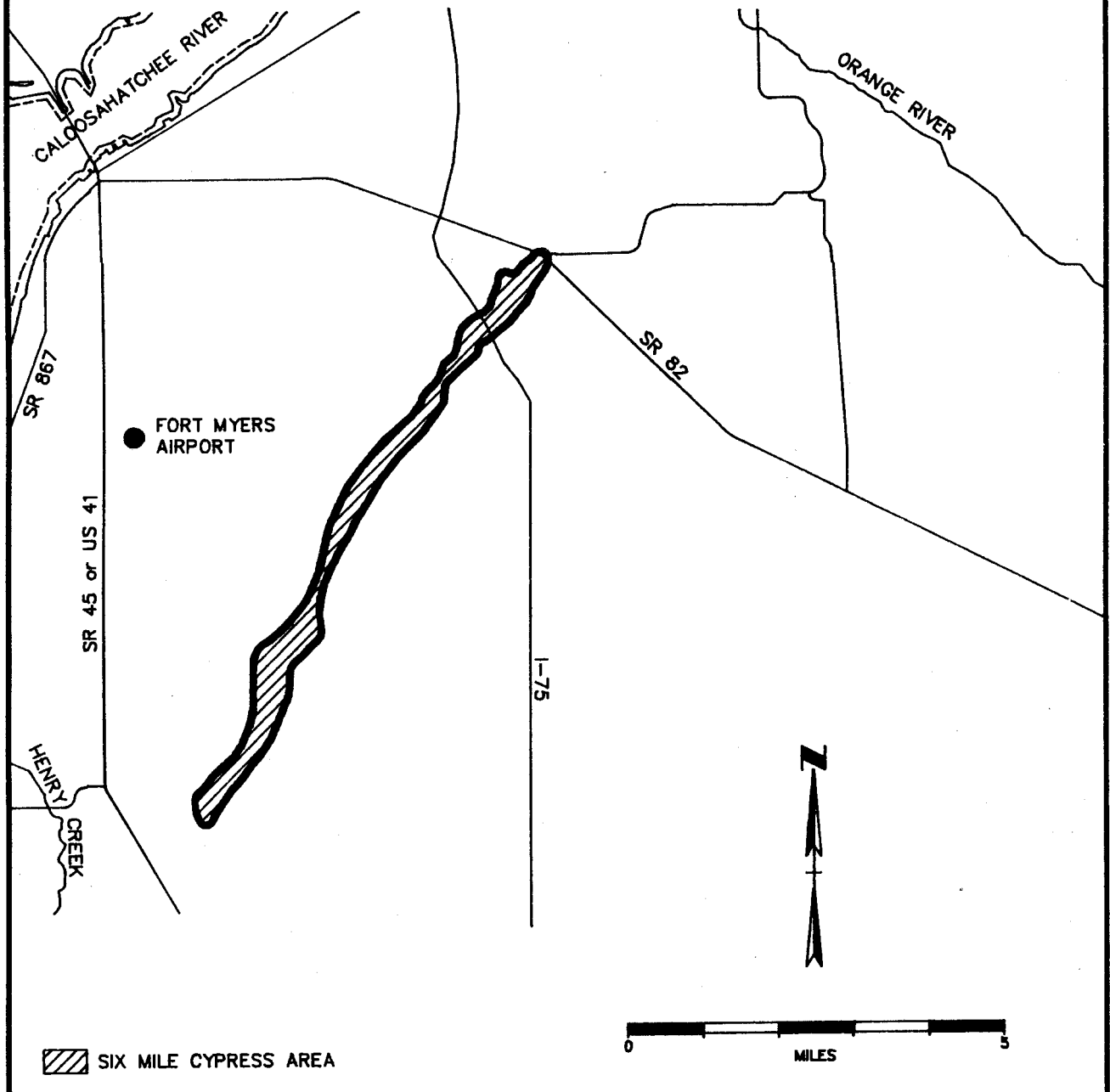
<sup>1</sup> SOR acquisition completed. Lee County to acquire remainder of Six Mile Cypress I.

# Six Mile Cypress I

LOCATION MAP



LEE COUNTY





## *Save Our Rivers Project*

# **SOUTH FORK ST. LUCIE RIVER**

<b>County:</b>	<b>Martin</b>
<b>Total Project Area:</b>	<b>184 Acres</b>
<b>Acres Acquired:</b>	<b>100</b>
<b>Land Cost:</b>	<b>\$2,000,000</b>
<b>Per Acre Cost:</b>	<b>\$20,000</b>
<b>Acres Remaining:</b>	<b>84</b>
<b>Estimated Assessed Value:</b>	<b>\$250,000</b>

### **1. General Description**

This project includes a portion of the upper reach of the South Fork St. Lucie River commencing approximately three-fourth of one mile south of State Road 76 and extending approximately one and one-fourth miles southward. The project was proposed by the citizens of Martin County to preserve and protect this relatively undisturbed portion of the river for the use and enjoyment of existing and future generations.

### **2. Land Stewardship Activities:**

#### **A. Restoring and/or Protecting Natural State and Condition:**

The productivity of the St. Lucie Estuary is dependent upon both the quantity and quality of water entering the river. There is evidence that adjacent land use activities have altered the natural hydrologic regime resulting in changes in the density and species composition of the hydric hammock along this reach of the river.

A conceptual management plan covering the river corridor has been prepared by Martin County, in consultation with the District. The purpose of the plan is to preserve and enhance the condition of this reach through a combination of land acquisition, land use regulation, and public-use management. The effective implementation of development guidelines and regulations for private properties within and immediately adjoining the corridor will be critical to the success of this effort.

Regular inspections will be made by Martin County Code Enforcement Officers to ensure that no activities are taking place within the corridor that

are inconsistent with the goal of protecting and enhancing this reach of the river. A boundary fence along the west side of the District's property will be installed and posted to prevent unauthorized access from areas to the west. The Martin County Sheriff's office will provide regular patrols to those areas accessible by vehicle. The District will continue to monitor appropriate properties for surface water management permit compliance.

#### **B. Managing and Maintaining in an Environmentally Acceptable Manner:**

Martin County has agreed to manage the portion of the corridor purchased by the District and to develop and implement the necessary land use regulations. An agreement setting forth the general terms and conditions governing management of the tract will be executed between the parties.

The need for exotic species control, prescribed burning, and other management measures will be determined by the county in consultation with appropriate state and federal agencies. Where appropriate, specific programs will be implemented.

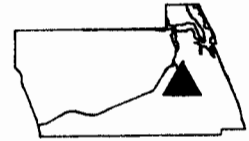
#### **C. Public Recreation:**

This reach of the river is quite scenic and has been used rather infrequently in the past by canoeists and fishermen. Martin County maintains a small boat access site near State Road 76. Additionally, an upland site on the west side of the river has been used in the past by the Boy Scouts.

Future uses of the river corridor will be restricted to passive uses such as canoeing, hiking, fishing, picnicking and nature appreciation. Hunting will be prohibited, and vehicular access will be restricted to established access sites. Consideration will be given to the establishment of additional sites to facilitate public-use; however, new river access sites will be restricted to the use of non-motorized craft. Site maintenance will be undertaken by Martin County.

# South Fork St. Lucie River

LOCATION MAP





MARTIN COUNTY

SR 76

SOUTH FORK  
ST. LUCIE RIVER

FLORIDA'S TURNPIKE

-  SOR PROJECT AREA
-  MOBIL OIL BUFFER



0 MILE 1/2

## *Save Our Rivers Project*

# STRAZZULLA

County:	Palm Beach
Total Project Area:	1,225 Acres
Acres Acquired:	1,225 Acres
Land Cost:	\$3,000,000
Per Acre Cost:	\$2,449
Acres Remaining:	0

### 1. General Description

The Strazzulla tract is located east of the Loxahatchee National Wildlife Refuge and adjacent to Levee 40. The western half of the property is sawgrass marsh. Cypress Sloughs, mixed with low pine flatwoods and wet prairies, dominate the eastern half.

### 2. Land Stewardship Activities

#### A. Restoring and/or Protecting Natural State and Condition

These lands are essentially an extension of the Water Conservation Areas and are adjacent to the Loxahatchee National Wildlife Refuge. Initial discussions regarding active management of the parcel have occurred with the Fish and Wildlife Service.

#### B. Managing and Maintaining in an Environmentally Acceptable Manner

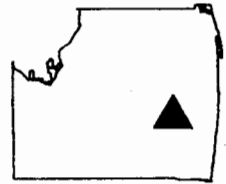
Initial vegetation and wildlife analysis has occurred; exotic and undesirable plant control have been contemplated and the lease arrangements for an existing communications tower have been modified.

#### C. Public Recreation

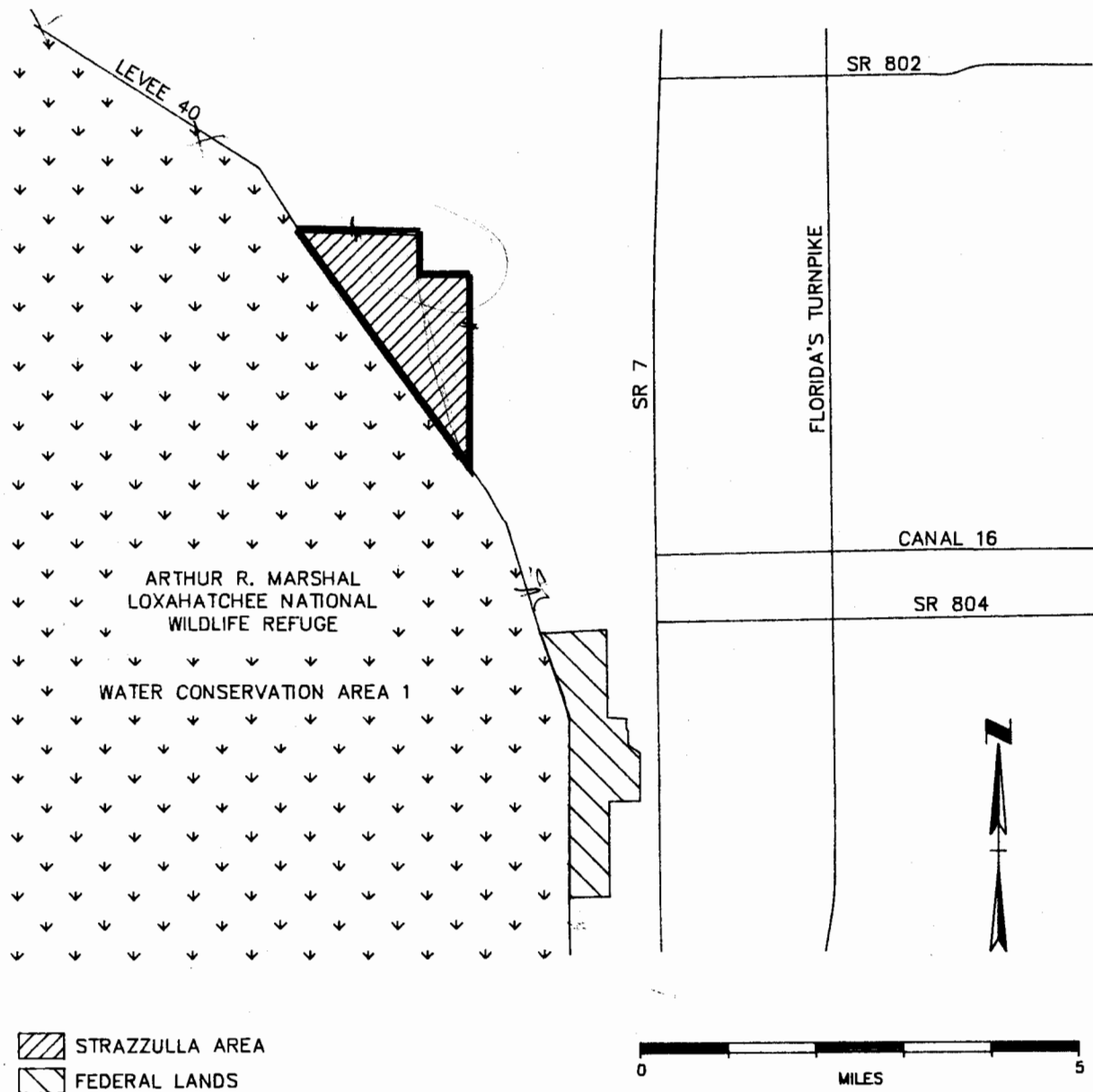
Public recreation potential will be examined and incorporated into the operational management plan.

# Strazzulla

LOCATION MAP



PALM BEACH COUNTY



STRAZZULLA AREA  
FEDERAL LANDS

## *Save Our Rivers Project*

# **EVERGLADES WATER CONSERVATION AREA**

**Counties:** Dade, Broward and Palm Beach

**Total Project Area:** 256,000 Acres

**Acres Acquired:** 36,302

**Land Cost:** \$6,531,300

**Per Acre Cost:** \$180

**Acres Remaining:** 219,698

**Estimated Assessed Value:** \$20,000,000

### **1. General Description**

The three Water Conservation Areas (WCA's) are part of the original Central and Southern Florida Flood Control Project to provide water supply and flood control to South Florida. The SOR project is designed to complete the public acquisition of outstanding land interests in order to protect this area's role in long term water resource management. This acquisition was mandated in the original legislation for the Save Our Rivers Program.

### **2. Land Stewardship Activities:**

#### **A. Restoring and/or Protecting Natural State and Condition:**

The District and the US Army Corps of Engineers have been regulating water levels in the three Water Conservation Areas, in accordance with criteria initially established in the 1950s and modified at various times over the years to meet changing conditions. The general purpose of the schedules is to provide for the storage of floodwater from developed areas adjacent to the WCA's for later use during the dry season. In establishing the schedules, consideration was given to the needs of wildlife indigenous to the WCA's and the requirements of emergent vegetation. Releases from the WCAs during the dry season and, particularly during drought conditions, are considered vital to the maintenance of adequate water levels in the coastal canals and wellfields and the prevention of saltwater intrusion. Flows from WCA 3 are essential to the well-being of Everglades National Park. The

amount and manner of delivery of these flows has and continues to be the subject of intense public debate. Much work has been done to devise a system of delivery that most closely approximates historical patterns (See East Everglades and C-111 SOR Project discussions).

#### **B. Managing and Maintaining in an Environmentally Acceptable Manner:**

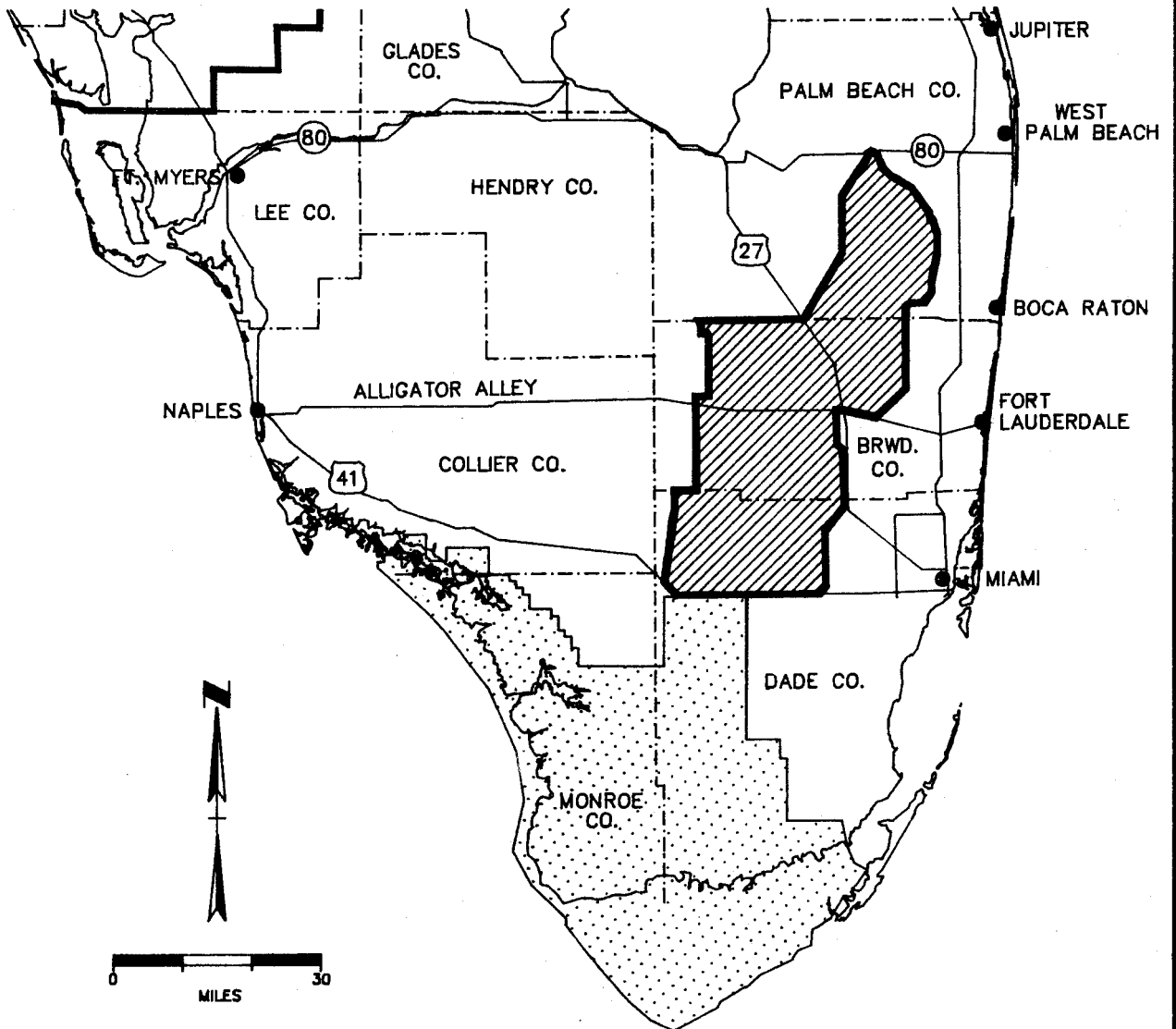
WCA 1 is managed as the Arthur R. Marshall Loxahatchee National Wildlife Refuge by the US Fish and Wildlife Service (USFWS). WCA's 2 and 3 are managed as the Everglades Wildlife Management Area by the Florida Game and Fresh Water Fish Commission (GFC) under separate cooperative and license agreements with the District. Both agencies have developed management plans and actively manage the fish and wildlife resources and public use of the areas under their charge. The District has been engaged in environmental research in the WCA's for many years, concentrating on the effects of water quantity and quality on the biota. In recent years, efforts to halt backpumping into Lake Okeechobee have resulted in increased flows from the Everglades Agricultural Area into WCA 3 and this in turn appears to be triggering certain vegetative changes of concern to environmentalists. ENP officials have expressed concern that water quality problems appearing in WCA 3 will be translocated to ENP unless remedial action is taken. All parties are actively working to find acceptable solutions to this problem.



#### **C. Public Recreation:**

The Water Conservation Areas are important outdoor recreation areas used heavily by the public for fishing, hunting, boating, frogging, and nature appreciation. Over the years numerous recreation sites and facilities have been provided to facilitate public access. Site development has generally followed the recommendations set forth in two published recreational plans - RECREATION PLAN, THE AREA SOUTH OF LAKE OKEECHOBEE, prepared in 1960 for the District by the Florida Development Commission and RECREATIONAL DEVELOPMENT OF THE EVERGLADES WATER CONSERVATION AREAS: FIVE YEAR PLAN 1973-1978, prepared in 1974 by the Everglades Recreational Planning Board. Both the USFWS and the GFC have established rules and regulations governing public-use of these areas.

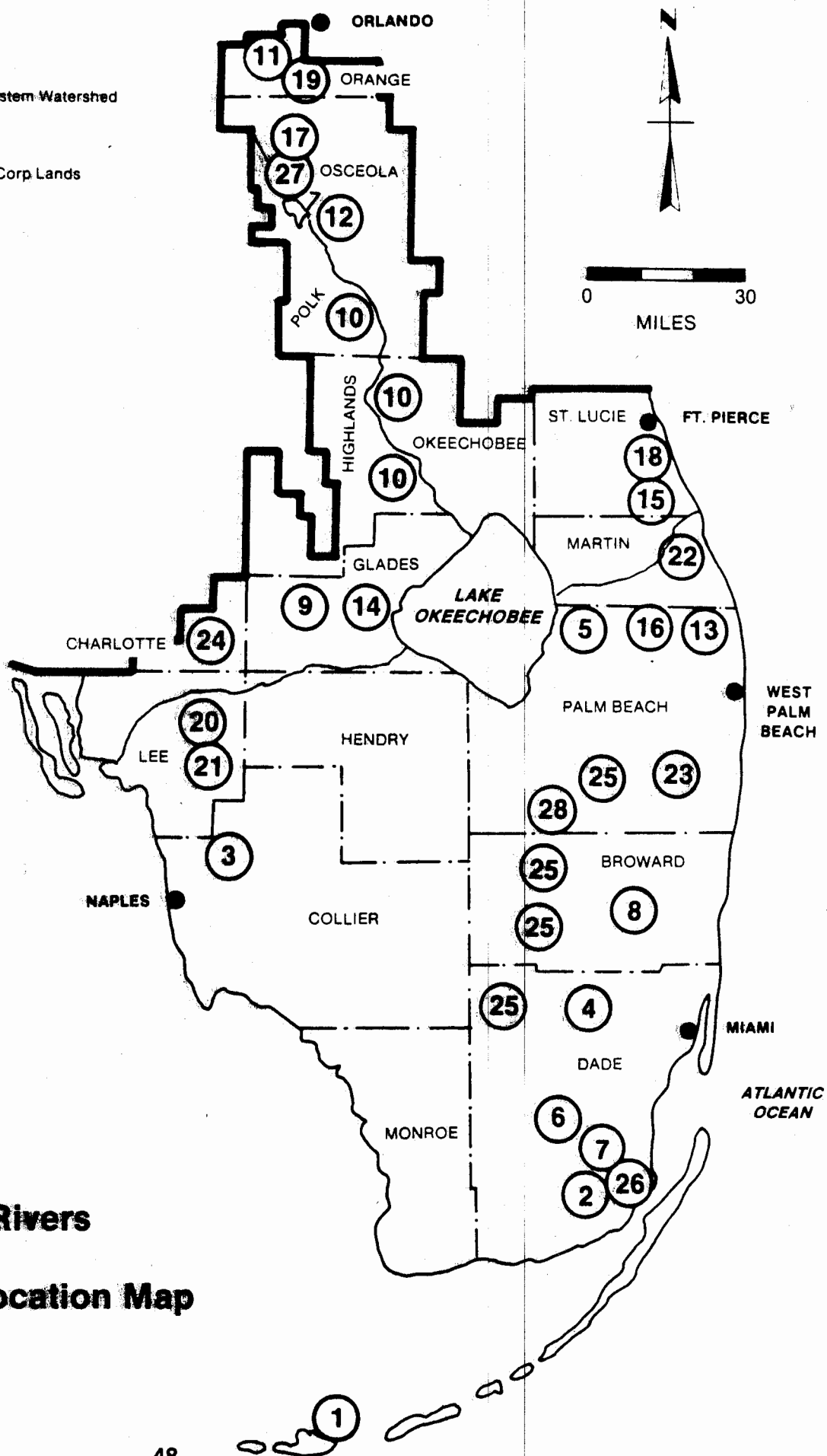
# Water Conservation Areas

LOCATION MAP



-  WATER CONSERVATION AREAS
-  EVERGLADES NATIONAL PARK

1. Big Pine Key
2. Canal 111 Basin
3. Corkscrew Regional Ecosystem Watershed
4. Dade/Broward Levee
5. DuPuis Reserve
6. East Everglades
7. East Everglades — Senior Corp Lands
8. Everglades Buffer Strip
9. Fisneating Creek
10. Kissimmee River
11. Lake Forest Preserve
12. Lake Marion Creek
13. Loxahatchee River
14. Nicodemus Slough
15. North Fork St. Lucie River
16. Pal-Mar
17. Reedy Creek Swamp
18. Savannahs
19. Shingie Creek Swamp
20. Six Mile Cypress I
21. Six Mile Cypress II
22. South Fork St. Lucie River
23. Strazzulla
24. Telegraph Swamp
25. Water Conservation Areas
26. Model Land Basins
27. Walker Ranch
28. Water Management Area 3



## Save Our Rivers Projects General Location Map

# Save Our Rivers Projects

<i>Projects Identified for Potential Acquisition</i>	<i>County or Counties</i>	<i>Total Acres</i>
<i>CATEGORY "A"</i>		
Corkscrew Regional Ecosystem Watershed	Lee Collier	50,000 <sup>(1)</sup>
Fisheating Creek	Glades	28,000
Lake Marion Creek	Polk	15,000
Model Land Basins	Dade	31,000
Pal-Mar	Martin Palm Beach	23,000
Reedy Creek	Orange Polk	30,000
Telegraph Swamp	Charlotte	10,000
Walker Ranch	Osceola Polk	8,500
<i>CATEGORY "B"</i>		
Dade/Broward Levee	Dade	12,000
Everglades Buffer Strip	Broward	1600
North Fork St. Lucie River	St. Lucie	2,000
Shingle Creek	Osceola	3,000
Six Mile Cypress II	Lee	225

*(1) Includes 10,500 acres of Corkscrew Sanctuary*



## Save Our Rivers Project

# CORKSCREW REGIONAL ECOSYSTEM WATERSHED

**County:** Lee and Collier  
**Total Project Area:** 50,000 Acres<sup>1</sup>  
**Estimated Assessed Value:** \$30,000,000  
**Number of Owners:** Numerous

### 1. General Description

Corkscrew Regional Ecosystem Watershed (formerly known as Bird Rookery Swamp) is a generic name for a vast project which covers nearly 50,000 acres in Collier and Lee Counties. The project includes Corkscrew Marsh, which is the headwaters of Corkscrew Sanctuary and Bird Rookery Swamp, Flintpen Strand in southeastern Lee County, the eastern fork of Corkscrew Swamp, known as Camp Keais Strand, and the existing Audubon Corkscrew Swamp Sanctuary.

### 2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:

Corkscrew Regional Ecosystem Watershed is underlain directly by the water table aquifer, which extends from near the land surface to the upper confining layers of the Tamiami Aquifer. High recharge capabilities are expected and the potential for wellfield development in or surrounding this area appears to be very promising. The area will also provide stormwater management and will conserve water resources within the extensive marsh and swamp systems.

### 3. Potential for Restoring and/or Protecting Natural State and Condition:

Corkscrew Regional Ecosystem Watershed and Flintpen Strand, in conjunction with Corkscrew Sanctuary, serve as one of the major nesting and feeding areas for the endangered wood stork. Florida panthers have been tracked through the area and are known to use this system, as well. The importance of the eastern portion of the project is recognized because of the connection it forms with Fakahatchee Strand State Preserve and the Florida Panther and

Ten Thousand Islands National Wildlife Refuges. Fakahatchee Strand covers nearly 80,000 acres and forms an unbroken corridor to the Ten Thousand Islands and Everglades National Park.

### 4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:

The vastness and spread-out configuration of Corkscrew Regional Ecosystem Watershed, coupled with its proximity to and interaction with other publicly owned and managed tracts, suggests that some form of interagency management will be required. The National Audubon Society has agreed to participate in the management of the Corkscrew Regional Ecosystem Watershed portion of the project in conjunction with the Corkscrew Sanctuary. Flintpen Strand appears suitable for operation by the Florida Game and Fresh Water Fish Commission as a wildlife and environmental area. Adequate law enforcement patrol will be important to prevent illegal entry and dumping. Some exotics are present in the Lee County portion but appear to be in controllable amounts.

### 5. Public Recreation:

The area is of sufficient size to accommodate both active and passive recreational activities. The area in close proximity to Corkscrew Sanctuary should be limited to passive activities such as birdwatching, hiking, photography and related nature appreciation activities. Controlled hunting on other portions of the project may be feasible; however, vehicular access should be carefully regulated and limited to certain designated roads.

<sup>1</sup> It is anticipated that the S.O.R. Program will purchase one-third of the project while the other two-thirds will be acquired by county initiatives and other non-profit efforts.



## *Save Our Rivers Project*

# **FISHEATING CREEK**

**County:** Glades  
**Total Project Area :** 28,000 Acres  
**Estimated Assessed Value:** \$16,000,000  
**Number of Owners:** One

### **1. General Description**

Fisheating Creek is an extensive natural riverine system flowing through Glades County. The Creek and its headwaters form an extensive water management system covering hundreds of square miles.

### **2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:**

Fisheating Creek is the only free flowing tributary to Lake Okeechobee. The meandering runs and associated flood plain attenuate peak discharges during heavy storm events and are important for water quality improvement prior to discharges entering Lake Okeechobee. Groundwater resources have not been quantified for this area; however, the Surficial Aquifer has suitable capacity to supply low volume users.

### **3. Potential for Restoring and/or Protecting Natural State and Condition:**

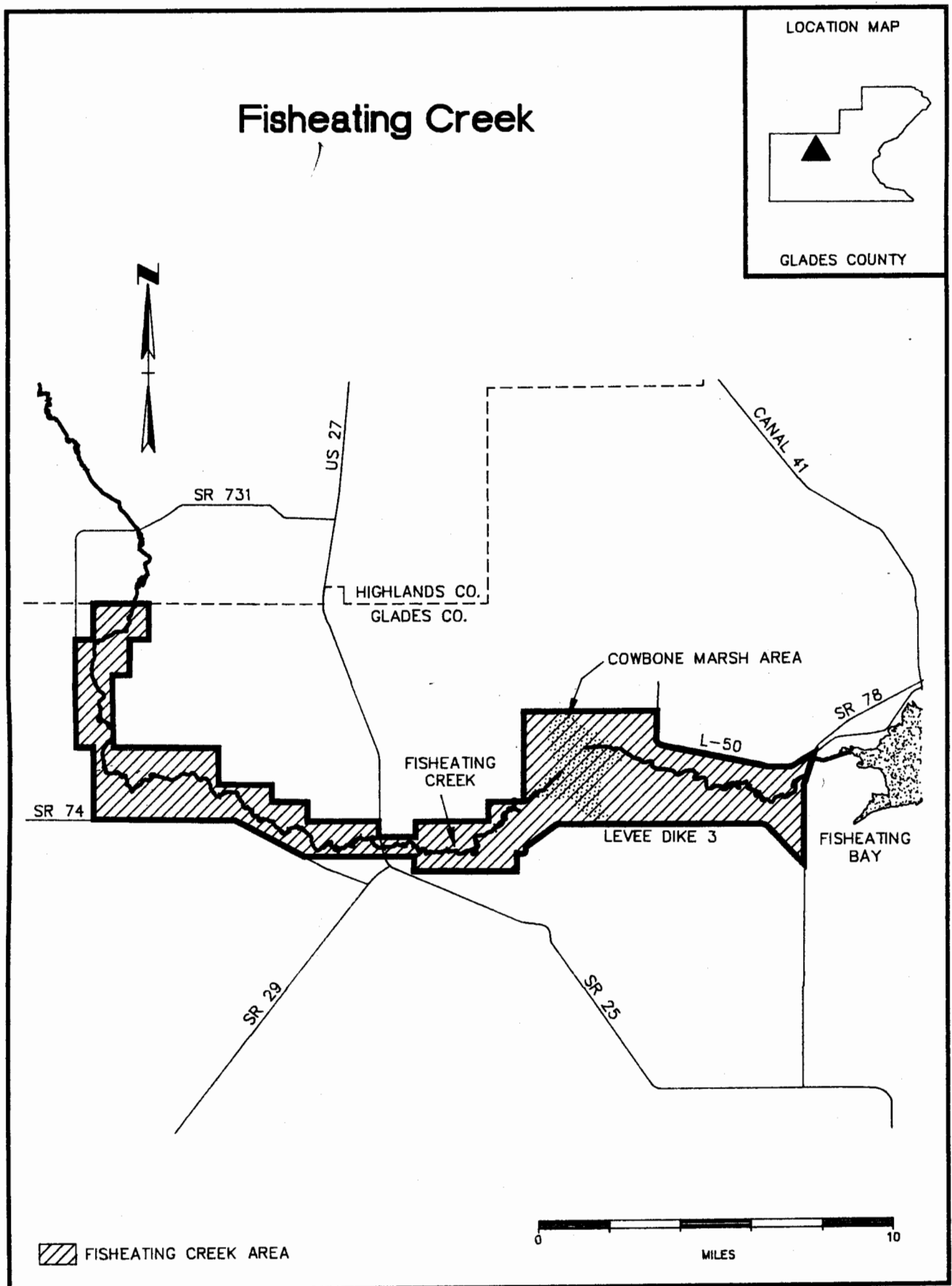
Much of the uplands and wetlands defined by the limits of this project remain in a relatively undisturbed state. Habitat types include cypress sloughs/mixed hardwood swamp forest, emergent marshes, willow thickets and openwater ponds and runs. Land use in and around the flood plain is mostly native range. Use by wading birds is very heavy, including endangered wood storks, white ibis and great egrets. When stages in Lake Okeechobee are high, Fisheating Creek serves as an important feeding area for birds which normally use the lake marshes.

### **4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:**

Management requirements would be minimal, since the property is in its natural state. No exotic vegetation is present.

### **5. Recreation Potential:**

Public use could be high, particularly by canoeists, if access points were provided. All lands adjacent to the creek are presently under one ownership.



## Save Our Rivers Project

# LAKE MARION CREEK

**County:** Polk  
**Total Project Area:** 15,000 Acres  
**Estimated Assessed Value:** \$15,000,000  
**Number of Owners:** Multiple

### 1. General Description

The Lake Marion Creek SOR project application was submitted by Polk County to both SFWMD and SWFMD. A very detailed report with numerous maps and land ownership information was submitted with the application. The project area is the entire Lake Marion-Snell Creek drainage basin. It totals approximately 17,300 acres, 3,800 acres of which are within SWFMD. As described in the report, approximately 50% of the total project area is wetlands, and most of these are within the 100 year flood plain. Lake Marion is the primary water source for Lake Marion Creek, which in turn discharges into Lake Hatchineha, a SWIM Priority water body. In addition, the watershed divide lies to the west of the project area, therefore all drainage reaches the Kissimmee River.

### 2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:

Sixty percent (60%) of the Basin is in almost an unaltered state. In addition, fifty percent (50%) is in wetlands and floodplain.

The area consists of two distinct physiographic regions--the Lake Wales Ridge and the Osceola Plain. Contained within the Lake Wales Ridge is an area called the relic sand dunes. The area is of critical importance to the recharge of the Floridan Aquifer. The dunes are particular importance because the sand allows water to infiltrate, rather than run off, and the many sinkholes and sinkhole lakes provide a more direct route for water to enter the Floridan Aquifer. The result is a very high rate of recharge.

The Osceola Plain is of lesser importance to recharge. While recharge to the Floridan Aquifer does occur in this area, it occurs at a much slower rate than in the dunes. This is caused by silt and clay layers that retard the downward movement of water, resulting in swamps and marshes at the surface. While less aquifer recharge occurs in the

Osceola Plain than in the relic sand dunes, it is still a significant amount.

Lake Marion, with very good water quality, is the headwater for Lake Marion Creek. The Creek joins with Snell Creek and then flows to Lake Hatchineha which in turn, discharges into Lake Kissimmee, then into the Kissimmee River and further to Lake Okeechobee. This water affects a number of SFWMD Surface Water Improvement and Management (SWIM) priority water bodies.

### 3. Potential for Restoring and/or Protecting Natural State and Condition:

The natural habitats are in very good condition. Exotic vegetation is not a problem. Drainage works, such as ditches and swales have not been cut; therefore, hydrologic restoration will not be a major effort. The size of the property and the deep swamps allow the interior portions to remain buffered from activities along the edge. As mentioned previously, sixty percent (60%) of the basin is basically in an unaltered state.

### 4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:

The river swamp attenuates flood waters and provides year round base flow to Snell and Lake Marion Creeks. The river swamp of Snell Creek extends off the project boundary to the north and connects with the Reedy Creek Swamp SOR project.

A majority of the project site consists of a riverine hardwood swamp system. These sloughs are extensive and extend off site. In conjunction with the significant aquifer recharge capability of the adjacent sand hills, Snell and Lake Marion Creeks provide a constant supply of high quality water to Lakes Hatchineha and Kissimmee.

The site has a number of habitat types, including riverine swamps, isolated marshes, pine flatwoods and sand pine scrub. The number of diverse habitat types increases the suitability for a variety of wildlife species. Several rare, threatened and endangered species inhabit the basin, including bald eagles, scrub jays, fox squirrels and gopher tortoises.

Polk County has expressed an interest in participating to manage this land.

### 5. Recreation Potential:

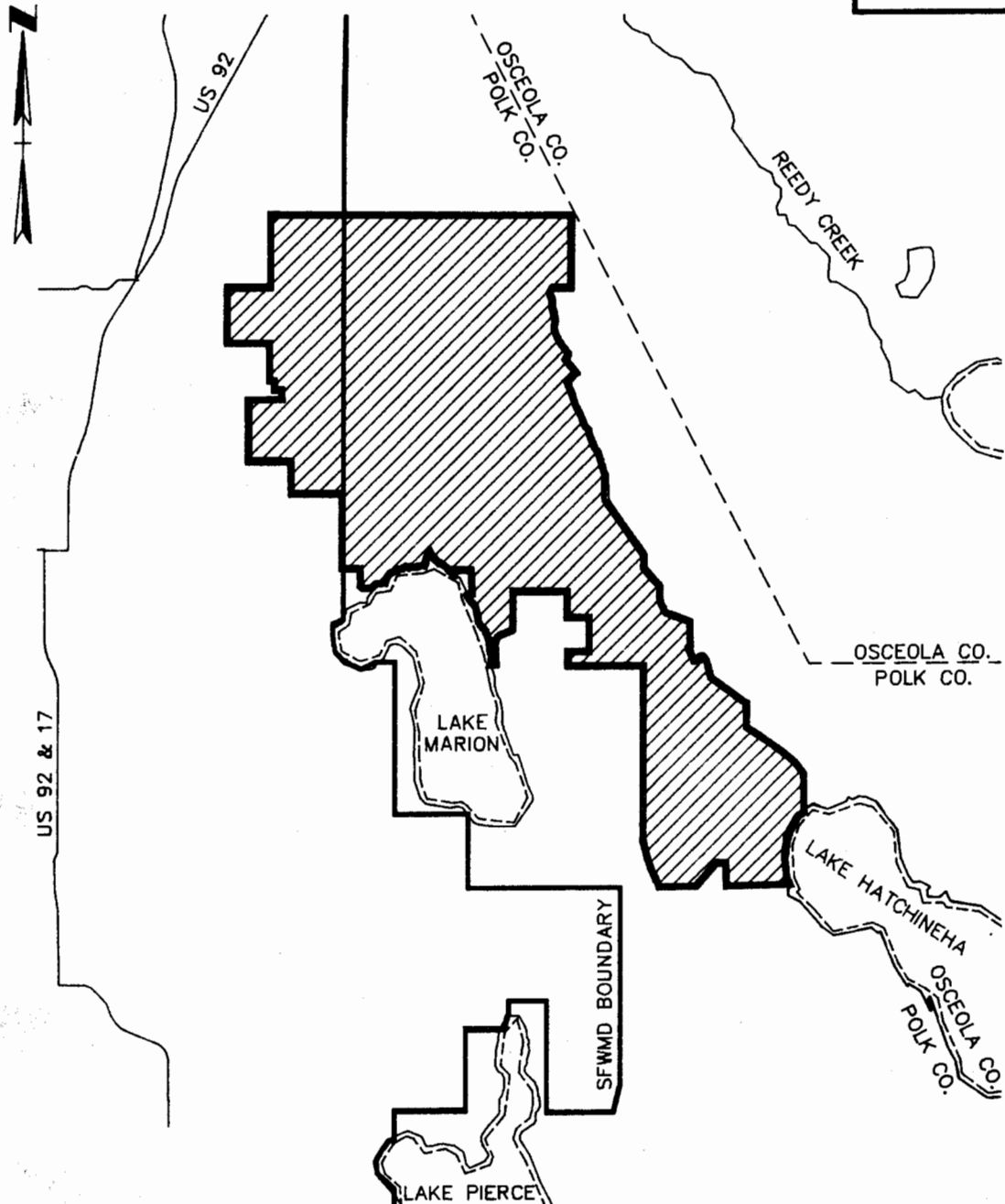
The Save Our Rivers Program allows for lands to be utilized for general public recreation purposes, considering the environmental sensitivity and suitability. The County has indicated the land may have potential for varied trail use, canoeing, camping and nature study. The area is already used for fishing and some environmental study.

# Lake Marion Creek

LOCATION MAP



OSCEOLA AND  
POLK COUNTIES



 LAKE MARION CREEK AREA

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MILES

## *Save Our Rivers Project*

# MODEL LAND BASINS

**County:** Dade/Monroe  
**Total Project Area:** 31,000 Acres  
**Estimated Assessed Value:** \$25 Million  
**Number of Owners:** Numerous

### 1. General Description

The project is located primarily in Dade County with a very small portion on the edge of Monroe County. With the exception of the extreme northwest corner and a one mile wide strip along the northern township line, this area includes all the land east of U.S. 1 and south of the northern boundary of Township 58 South. The FPL cooling ponds at Turkey Point are not included in the project boundary.

The total project area is approximately 31,000 acres and includes a variety of habitats, both freshwater and estuarine. The northwestern corner has been invaded by Australian pine and Brazilian pepper, but the great majority of the site is exotic free. The majority of the tract is undisturbed fresh and salt water wetlands. The dominant habitat type is wet prairie, interspersed with tree islands. Vegetation in the tree islands includes red bay, dahoon holly, cocoplum and buttonbush in the upland islands, and red, white and black mangroves in the estuarine islands.

This area was historically listed as transverse Everglades by John Henry Davis in his original characterization of the Everglades. These lands form a contiguous habitat corridor with Everglades National Park, the C-111 Aerojet purchases, Biscayne National Park, Crocodile Lakes National Wildlife Refuge, the north Key Largo CARL purchases, John Pennekamp State Park, and the existing National Marine Sanctuary.

### 2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:

The sheet flow of water across this area provides high quality freshwater to the estuarine areas of Card Sound, Barnes Sound and Manatee Bay. This basin is the primary source of overland freshwater for Biscayne National Park and the southern portions of Biscayne Bay Aquatic Preserve. Card

Sound is both an Aquatic Preserve and an Outstanding Florida Water.

This area functions as a recharge area for maintenance of the salt-barrier line thus serving an important function for the prevention of further saltwater intrusion into the region. Holding water on the property will aid this process.

### 3. Potential for Restoring and/or Protecting Natural State and Condition:

This area is habitat for many threatened and endangered species including; Florida panthers, American crocodiles, wood storks, the coast leather fern, and the silver palm. This area is federally designated as critical habitat for the American crocodile. Natural communities are still in excellent condition for the most part. In conjunction with the shoreline of Biscayne National Park, this area forms the longest undeveloped strip of red mangroves on the east coast of Florida. The project has received support from the National Park Service, U.S. Fish and Wildlife Service and Dade County.

The District is working with DOT in the design of U.S. 1 improvements to increase freshwater flows under the highway from the west.

### 4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:

With the exception of the exotic invasion in the northwest corner, the tract is in very good condition. Dade County has indicated that this site would be a high priority area for treatment of exotics as part of their off-site mitigation program for development elsewhere in the county. The National Park Service has stated that they would be willing to manage the lands under certain conditions. The U.S. Fish and Wildlife Service, through Crocodile Lakes National Wildlife Refuge, has also made a verbal offer to assist in management.

### 5. Recreation Potential:

This tract is surprisingly open and, for the dedicated hiker, would provide the opportunity to explore a rather unique part of Florida. There is excellent opportunity for use of the extensive shoreline, by boaters and fishermen.

## 57



## *Save Our Rivers Project*

# **PAL-MAR**

**Counties:** Palm Beach and Martin  
**Total Project Area:** 23,000 Acres  
**Estimated Assessed Value:** \$23,000,000  
**Number of Owners:** Numerous

### **1. General Description**

The general location of Pal-Mar is north of the J. W. Corbett Wildlife Management Area and south of the St. Lucie Canal. Most of the property is in Martin County, with a few sections in Palm Beach County. The area is currently part of an extensive water resource management planning study by the Northern Palm Beach Water Control District and the McArthur Foundation.

### **2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:**

The extensive wetlands in this project provide significant conservation of surface water resources. The aquifer under the Pal-Mar area may be expected to have slow recharge due to 15-25 feet of confining sands near the surface. The estimated transmissivity shows the aquifer is adequate for small scale development and individual use.

### **3. Potential for Restoring and/or Protecting Natural State and Condition:**

Pal-Mar contains the largest concentration of contiguous wetlands in Martin County. Habitat diversity is relatively low, since all that exists are low pine flatwoods mixed with wet prairies. However, the quality of habitat is very good. It scores high for connectedness because it is only separated from Corbett Wildlife Management Area and DuPuis Reserve by SR 710.

If permits could be obtained to drain the area the development pressure would be very high, since it is sub-divided into many small parcels. If a wellfield were developed in the area it could have severe environmental impacts, as the confining layer is inadequate to protect wetlands from leakage.

### **4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:**

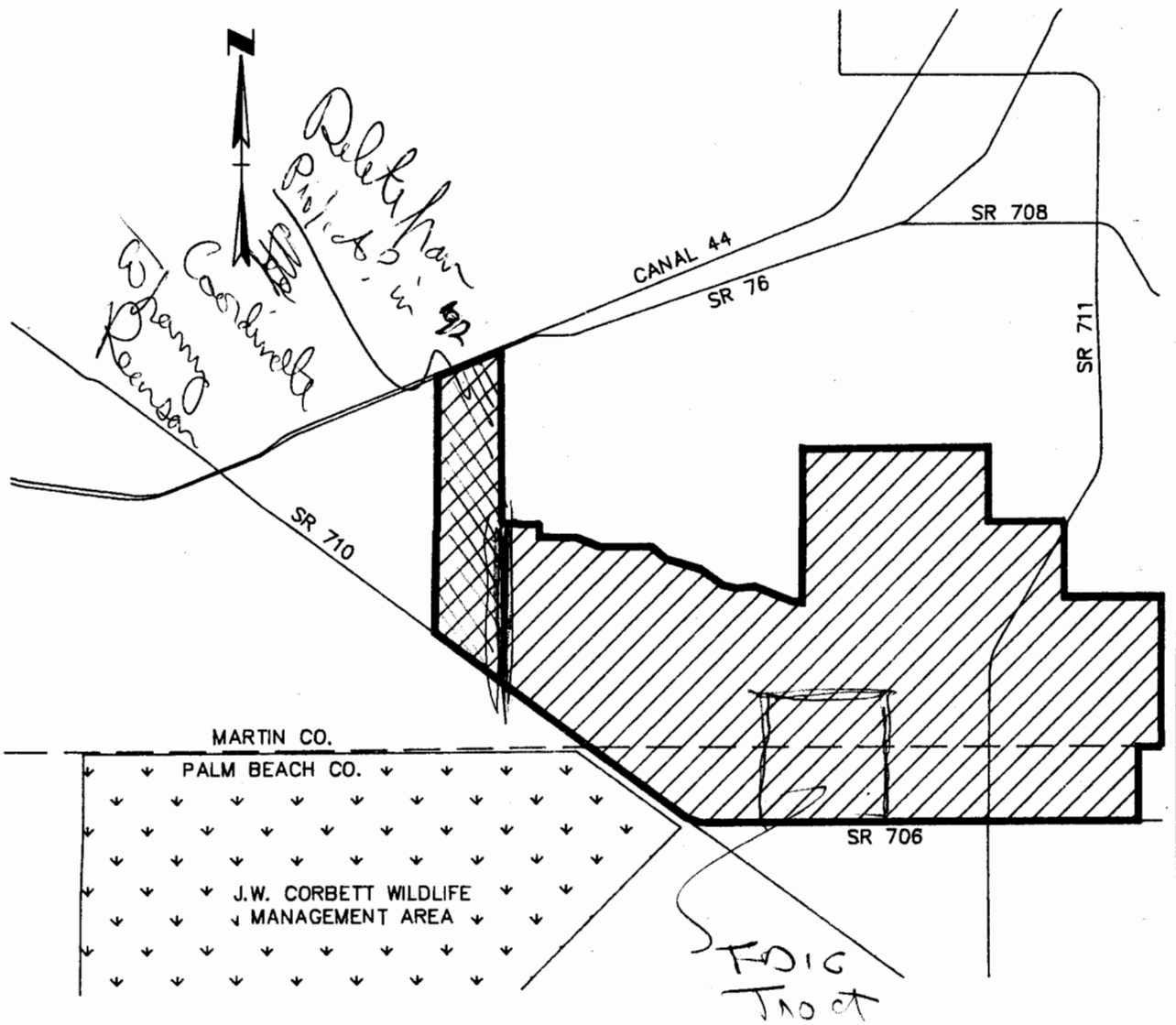
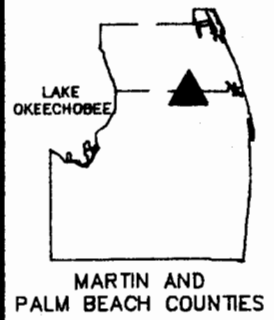
The management of the area would probably depend on the type and amount of public activity allowed. It has been used for some trash dumping and controllable infestations of exotic vegetation are present.

### **5. Recreation Potential:**

Recreational use would probably be high, particularly if used as a wildlife management area like Corbett Wildlife Management Area. Several deepwater canals remain from earlier attempts to drain the property. Since these have no positive outfall, they provide good fishing.

# Pal-Mar

## LOCATION MAP



- PAL-MAR AREA
- CORBETT WILDLIFE MANAGEMENT AREA

0 5  
MILES

## *Save Our Rivers Project*

# **REEDY CREEK SWAMP**

**County:** Osceola  
**Total Project Area:** 30,000 Acres  
**Estimated Assessed Value:** \$15,000,000  
**Number of Owners:** Numerous

### **1. General Description**

Reedy Creek is an extensive mixed hardwood/cypress swamp which runs for nearly 25 miles through western Osceola County. The project boundaries extend from Disney's Reedy Creek Improvement District to Cypress Lake.

### **2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:**

In most areas, Reedy Creek Swamp has a flood plain which is several miles wide. The extensive flood plain provides important water quality benefits and serves as the headwaters for two other lakes which also have excellent water quality - Lake Russell and Cypress Lake. Like all naturally flowing streams with adjacent wetlands, peak discharges from major storm events are modified and stored within the swamps to provide year-round base flow for downstream lakes. The Floridan Aquifer is the major source of groundwater for large scale wellfield development in this area. The Surficial and Intermediate Aquifers provide water for individual domestic and small scale irrigation use. The Reedy Creek Swamp flood plain provides recharge to the Surficial Aquifer, which in turn recharges the Intermediate and Floridan Aquifers. The recharge rate from the swamps is relatively low, compared with the relic dunes of north central Polk county, but the long period of inundation provides important recharge to the Surficial Aquifer over a long period of time.

### **3. Potential for Restoring and/or Protecting Natural State and Condition:**

Reedy Creek Swamp is offered a high degree of protection because of its large size and inaccessibility. Unless high density urban development is proposed, the swamp should be able to buffer itself. In the early 1980's a clearcut logging operation occurred in the swamp. Additional silvicultural activity of this sort can be expected in

the future. Exotic vegetation does not appear to be a problem, nor is it likely that hydrologic restoration would be necessary.

### **4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:**

The size and density of the swamp would preclude any active management. Some exotic control and prescribed burning may be necessary on upland tracts.

### **5. Public Recreation:**

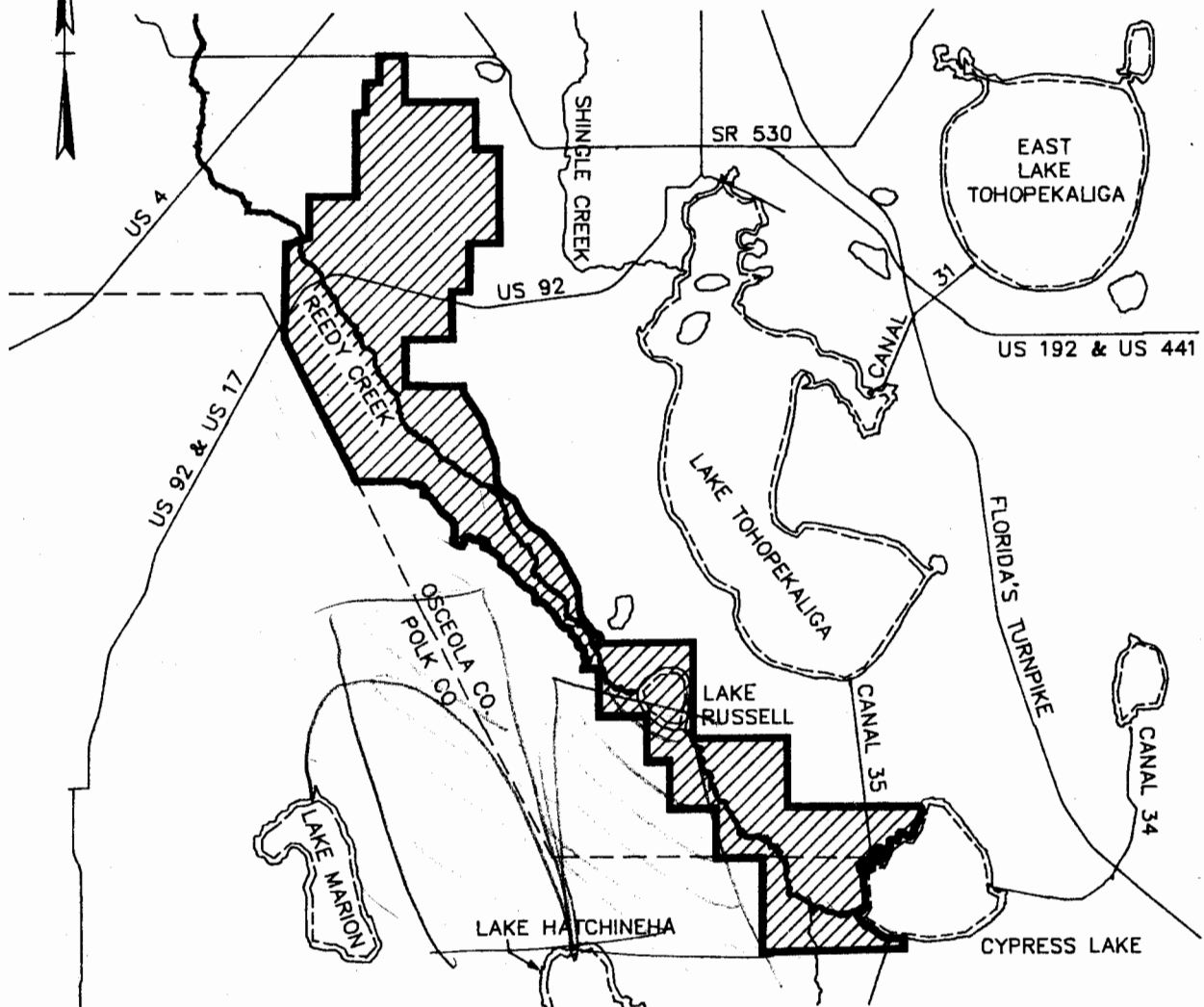
The system is very large, dense and inaccessible, except in a few locations. There is the potential for hiking and canoeing if access points were created.

# Reedy Creek Swamp

LOCATION MAP



OSCEOLA COUNTY



REEDY CREEK AREA

0 10  
MILES

## *Save Our Rivers Project*

# TELEGRAPH SWAMP

**County:** Charlotte  
**Total Project Area:** 10,000 Acres  
**Estimated Assessed Value:** \$5,000,000  
**Number of Owners:** One

### **1. General Description**

Telegraph Swamp is located in Charlotte County and covers nearly 10,000 acres. It is a mixture of low pine flatwoods, cypress heads and emergent freshwater wetlands. The surrounding land uses are improved pasture and native range, as well as some row crop farming.

### **2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:**

This is a diverse system with a number of habitat types. It connects with the C.M. Webb Wildlife Management Area to the north, which covers an additional 65,000 acres of similar habitat. Telegraph Swamp has important water supply features. Although little hydrogeologic investigation has been done for this area, the following assumptions can be made:

- a. This part of Charlotte County is underlain by a water table aquifer which has a potential for development of large quantities of water for public supply. The aquifer is thickest beneath Telegraph Swamp.
- b. A situation in which a swamp occurs over the thickest part of an aquifer is ideal for aquifer recharge during the transition from dry to wet season.
- c. Telegraph Swamp appears to be an important resource with good aquifer recharge capability and potential for wellfield development. However, excessive withdrawals from the aquifer, particularly from poorly placed wells, will alter the hydroperiod of the wetland and adverse environmental impacts will result.

### **3. Potential for Restoring and/or Protecting Natural State and Condition:**

Telegraph Swamp is in excellent condition. No exotic vegetation has been observed. Hydrologic

restoration would not be necessary. The size of the swamp and the single ownership of land around it provide it the highest degree of protection.

### **4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:**

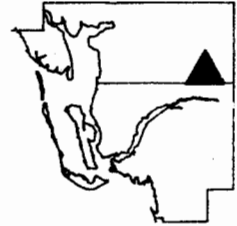
Due to the size and healthy condition of the system, management requirements are minimal.

### **5. Public Recreation:**

The potential for public use is uncertain. It provides excellent opportunities for hunting, but the fact that it is totally surrounded by private land and has minimal access probably limits its public use potential.

# Telegraph Swamp

LOCATION MAP



LEE AND  
CHARLOTTE COUNTIES



SR 31

CHARLOTTE CO.  
LEE CO.

CHARLOTTE CO.  
GLADES CO.

LEE CO.  
HENDRY CO.

CALOOSAHATCHEE  
RIVER

SR 78

SR 80

SR 78



TELEGRAPH SWAMP AREA



## *Save Our Rivers Project*

# **WALKER RANCH**

**County:** Osceola and Polk  
**Total Project Area:** 8,500 Acres  
**Estimated Assessed Value:** \$13,000,000  
**Number of Owners:** One

### **1. General Description**

Walker Ranch is located in Osceola and Polk Counties, and borders both Lake Russell and Lake Hatchineha. It covers approximately 8,500 acres. The northeastern property boundary is Reedy Creek, which is presently a Save Our Rivers Category A project. The property is a working cattle ranch, with expanses of improved pasture, primarily in the southern portion of the ranch. The northern and central portions are mostly pine flatwoods, mixed with bay swamp forests and isolated wet prairies. Patches of xeric oak scrub are scattered throughout the site as well.

### **2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:**

Portions of the property lie within the flood plains of Reedy Creek and Lake Hatchineha. The uplands are contributory watersheds to both water bodies. The Lake Hatchineha shoreline is within the Kissimmee Chain of Lakes acquisition area. While detailed groundwater supply information is not available, it is likely that this property provides significant recharge to the Floridan Aquifer.

### **3. Potential for Restoring and/or Protecting Natural State and Condition:**

The site contains a variety of plant communities and wildlife habitats. Pine flatwoods, riverine swamp, xeric scrub and extensive wetlands provide habitat for a wide variety of wildlife. Several endangered species, including wood storks, bald eagles, and scrub jays nest, as well feed on the property. Some restoration would be required to offset the effects of drainage caused by the ranching operation. This parcel provides an extensive wildlife corridor between Lake Hatchineha and Reedy Creek Swamp. It provides necessary upland habitat, not commonly found in the deep swamp systems, for terrestrial species.

### **4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:**

While some wetland restoration will be necessary, this should be limited to the plugging of ditches and swales. Extensive structural work is not anticipated. The current ranch operation has maintained a fire regime necessary for a healthy mixed pine community. Heavy understory fuel loads are not present, which reduces the threat of wildfire and allows land managers to concentrate on prescribed fire for habitat management rather than fuel load reduction. Exotic vegetation does not appear to be a problem. It is possible that the Boy Scouts of America or the Florida Game and Freshwater Fish Commission would participate as cooperative managing partners.

### **5. Recreation Potential:**

Public use on this property would be expected to be very high. It has boat access from Lakes Russell and Hatchineha, and canoeing is probably possible on portions of Reedy Creek. The diversity of community types makes it very suitable for hiking and equestrian trails. Its large size would probably make it attractive as a wildlife management area for hunting.

# Walker Ranch

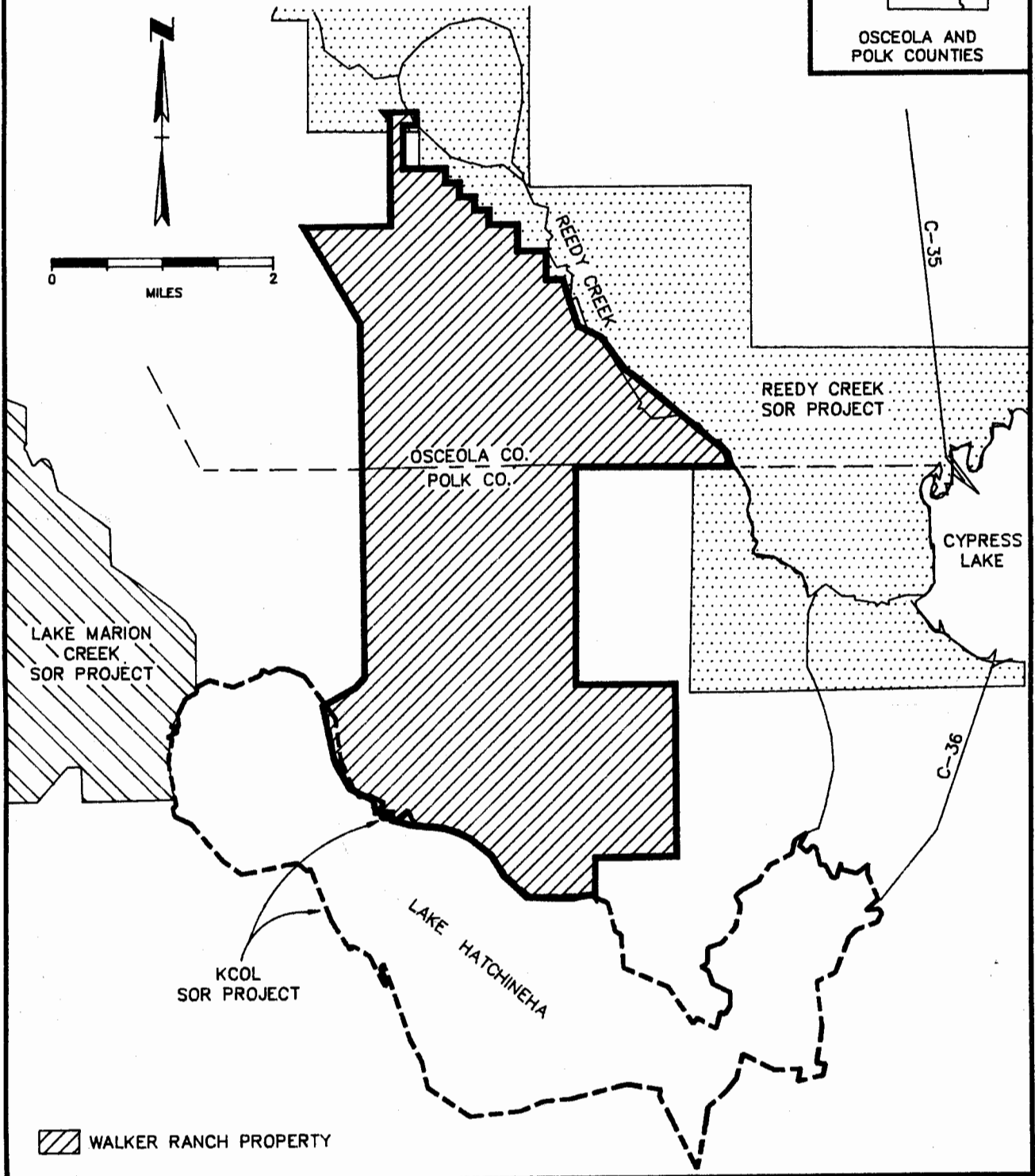
LOCATION MAP



OSCEOLA AND  
POLK COUNTIES

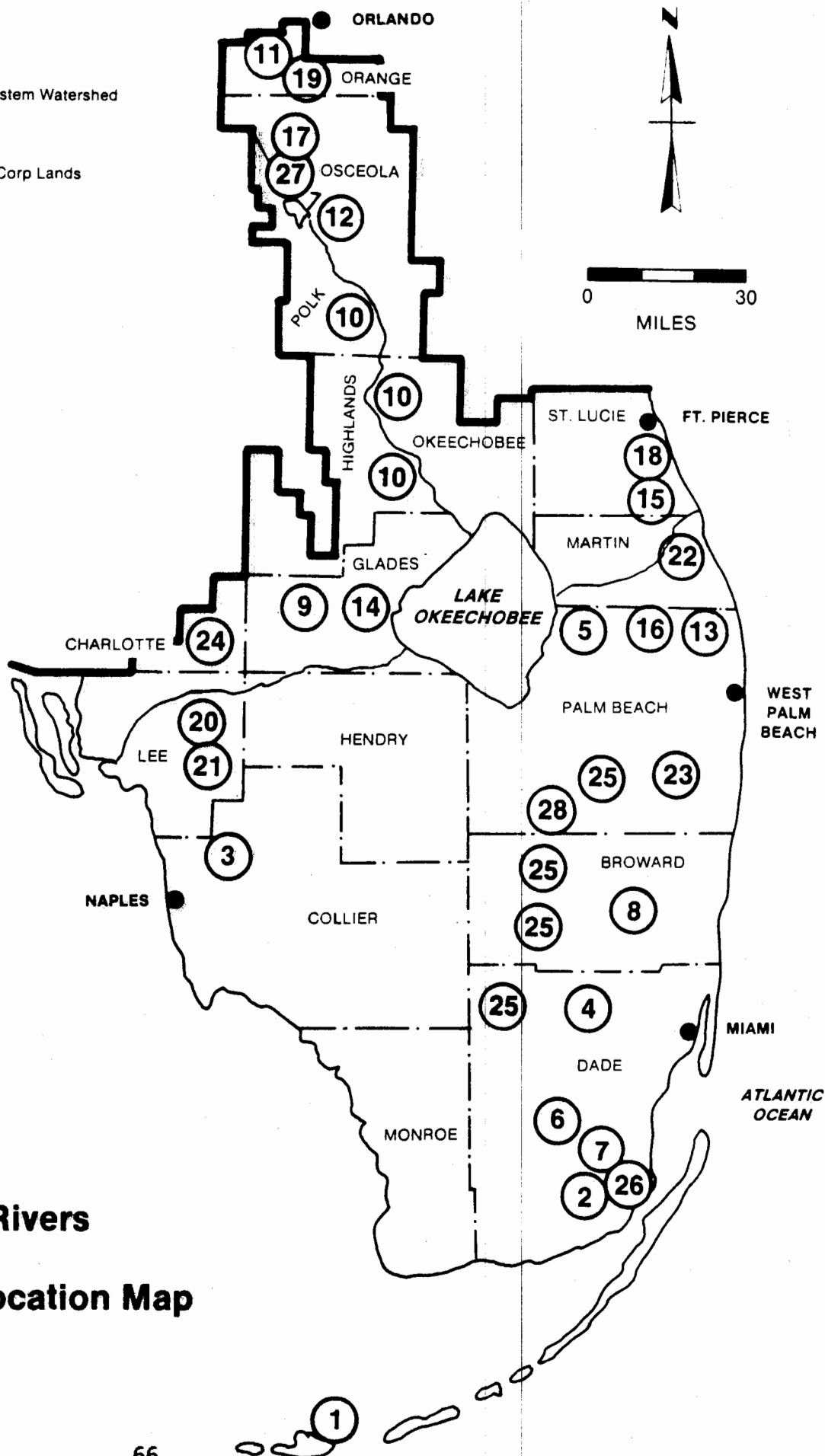


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MILES





1. Big Pine Key
2. Canal 111 Basin
3. Corkscrew Regional Ecosystem Watershed
4. Dade/Broward Levee
5. DuPuis Reserve
6. East Everglades
7. East Everglades — Senior Corp Lands
8. Everglades Buffer Strip
9. Fisheating Creek
10. Kissimmee River
11. Lake Forest Preserve
12. Lake Marion Creek
13. Loxahatchee River
14. Nicodemus Slough
15. North Fork St. Lucie River
16. Pal-Mar
17. Reedy Creek Swamp
18. Savannahs
19. Shingle Creek Swamp
20. Six Mile Cypress I
21. Six Mile Cypress II
22. South Fork St. Lucie River
23. Strazzulla
24. Telegraph Swamp
25. Water Conservation Areas
26. Model Land Basins
27. Walker Ranch
28. Water Management Area 3



## Save Our Rivers Projects General Location Map

# Save Our Rivers Projects

<i>Projects Identified for Potential Acquisition</i>	<i>County or Counties</i>	<i>Total Acres</i>
<b>CATEGORY "A"</b>		
Corkscrew Regional Ecosystem Watershed	Lee Collier	50,000 <sup>(1)</sup>
Fisheating Creek	Glades	28,000
Lake Marion Creek	Polk	15,000
Model Land Basins	Dade	31,000
Pal-Mar	Martin Palm Beach	23,000
Reedy Creek	Orange Polk	30,000
Telegraph Swamp	Charlotte	10,000
Walker Ranch	Osceola Polk	8,500
<b>CATEGORY "B"</b>		
Dade/Broward Levee	Dade	12,000
Everglades Buffer Strip	Broward	1600
North Fork St. Lucie River	St. Lucie	2,000
Shingle Creek	Osceola	3,000
Six Mile Cypress II	Lee	225

*(1) Includes 10,500 acres of Corkscrew Sanctuary*

## *Save Our Rivers Project*

# **DADE BROWARD LEEVE**

**County:** Dade  
**Total Project Area:** 12,000Acres  
**Estimated Assessed Value:** \$30,000,000  
**Number of Owners:** Numerous

### **1. General Description**

The property is located directly north of the Tamiami Canal (C-4), with Levee 30/US 27 forming the western boundary and the Dade Broward Levee the eastern boundary.

### **2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:**

The project provides water supply benefits by maintaining groundwater levels to the east and may help support proposed well fields. The land lies within the cone of influence of Dade County's Northwest Wellfields. The project is anticipated to have a positive impact upon the area designated as "urban water conservation area". The project also provides recharge to the Snapper Creek wellfield located south of Tamiami Trail and east of Florida's turnpike.

### **3. Potential for Restoring and/or Protecting Natural State and Condition:**

Dade County has shown interest in assisting to restore and maintain the property. Exotic invasion has occurred, primarily concentrated in the southern one-half of the property. Overdrainage by the Tamiami Canal has seriously degraded the southern portion. It is unlikely that this area could be restored.

### **4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:**

Management needs would be basically directed toward control of Melaleuca and coordination with the Dade County Water and Sewer Authority.

### **5. Recreation Potential:**

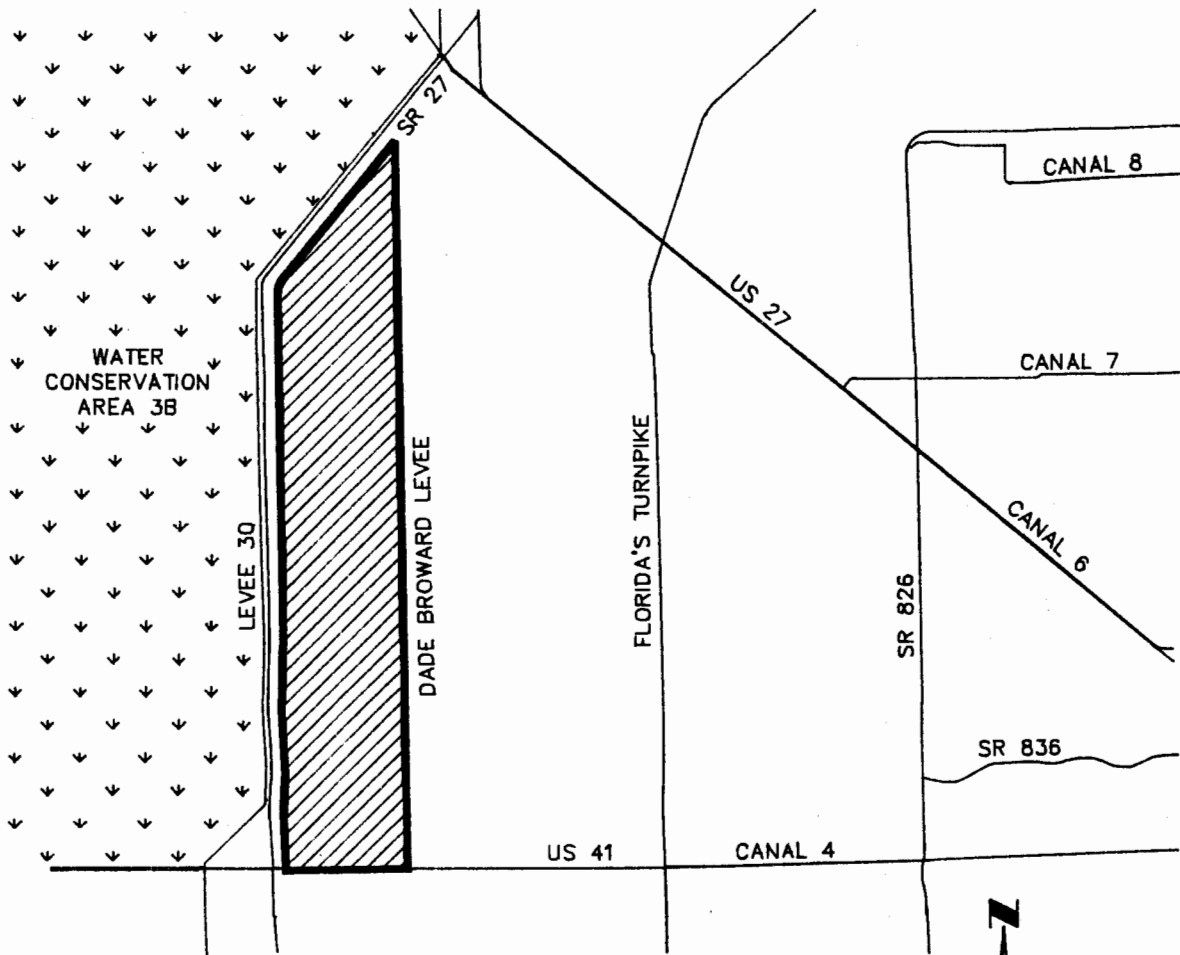
Public use of this property is anticipated to be low due to the lack of recreational opportunities.

# Dade Broward Levee

LOCATION MAP



DADE COUNTY



 DADE BROWARD LEVEE AREA

0 5  
MILES

## *Save Our Rivers Project*

# **EVERGLADES BUFFER STRIP**

**County:** Broward  
**Total Project Area:** 1,600 Acres  
**Estimated Assessed Value:** \$1,600,000  
**Number of Owners:** Multiple

### **1. General Description**

Everglades Buffer Strip totals approximately 4000 acres. It exists as a one-half mile wide strip which lies between the District's L-37 and L-33 levees and U.S. Highway 27 in Broward County. It extends from State Road 84 to the Dade County line.

The project application includes a 1,600 acre portion which extends from SR 84 to C-11 canal.

### **2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:**

Conservation Areas 3A and 3B leak large amounts of water through the L-37 and L-33 levees, due to the high head differential that presently exists. District ownership of the Buffer Strip could allow higher control elevations to be maintained, thus reducing leakage from the Conservation Areas.

### **3. Potential for Restoring and/or Protecting Natural State and Condition:**

The project area has been impacted by rock mining and exotic plant invasion, primarily *Melaleuca*. There appears to be a number of constraints to restoration: The existing FP&L service road, the elevation of the sub-grade for U.S. 27, the relative elevation of lands and levees and the long narrow shape of the project.

### **4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:**

Broward County has indicated significant interest in the entire 4000 acres of buffer strip, which includes the 1600 acres submitted as a Save Our Rivers project. The County is already participating in research for controls to inhibit the spread of *Melaleuca*. They have indicated an interest in monetary programs to help in acquisition of the land and to assist in *Melaleuca* removal and control. Early management tasks will include a program to

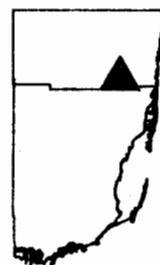
inform the public about the importance of the Buffer Strip and an exotic removal/control effort.

### **5. Recreation Potential:**

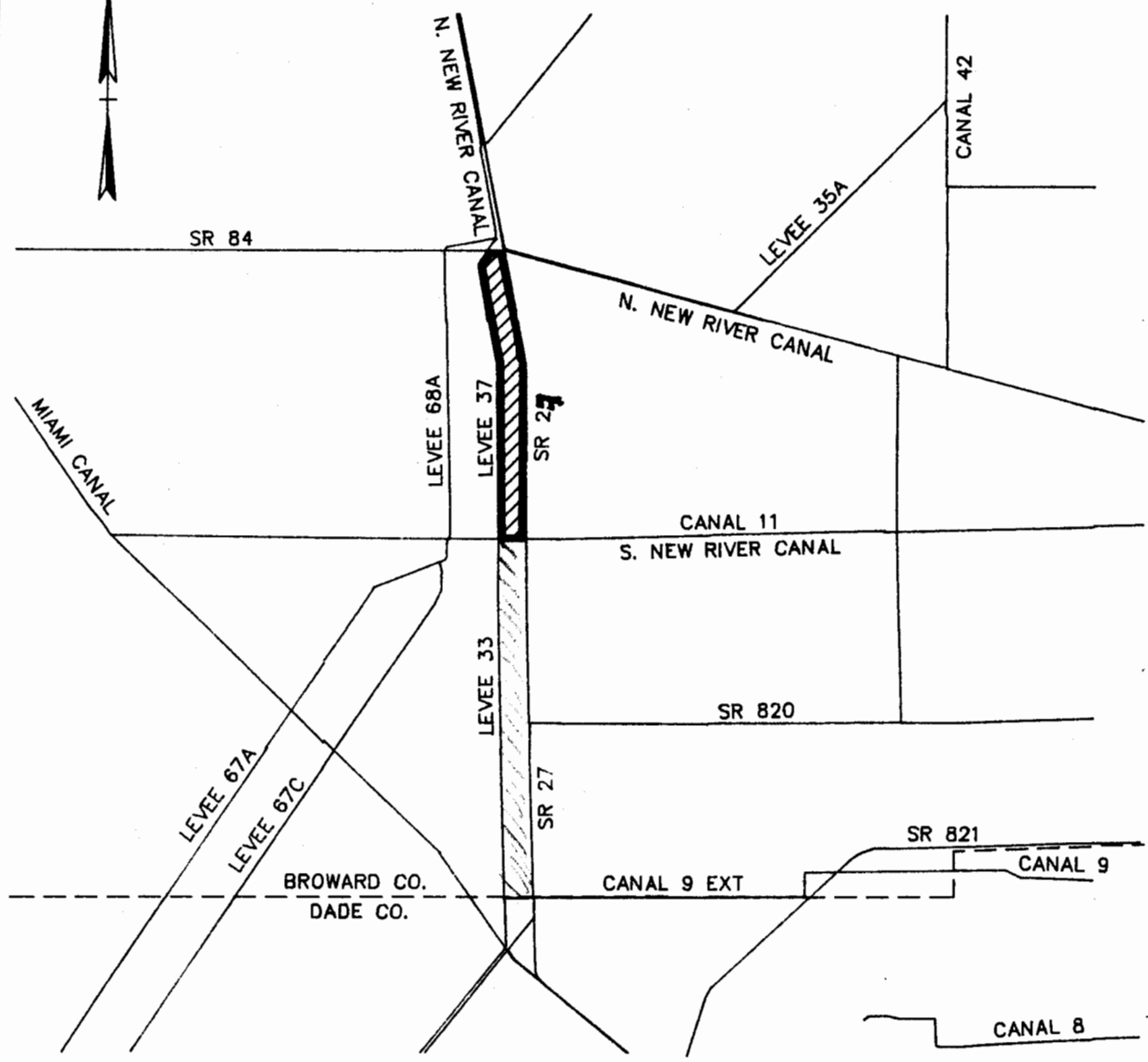
Broward County has indicated the Buffer Strip lands offer potential for public recreation which take advantage of its abundant open-space. Recreational activities could include fishing, canoe trails, and environmental education/interpretive facilities.


# Everglades Buffer Strip

LOCATION MAP



BROWARD AND  
DADE COUNTIES



 EVERGLADES BUFFER STRIP AREA



## *Save Our Rivers Project*

# **NORTH FORK ST. LUCIE**

**County:** St. Lucie  
**Total Project Area:** 2,000 Acres  
**Estimated Assessed Value:** \$5,600,000  
**Number of Owners:** Numerous

### **1. General Description**

The stretch of North Fork under consideration is approximately six miles long, and extends from the White City bridge to Canal C-24.

### **2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:**

"More than 80% of the project area is comprised of wetlands within the river flood plain. The wetland types include hardwood swamp, low hammock, sawgrass marsh and mangrove forest. The mangroves are limited to approximately the lower one-third of the project. The flood plain wetlands help lower current velocities in the river, thereby attenuating and gradually releasing the flood waters. This action also facilitates recharge of the surficial aquifer, and filters out nutrients, pollutants and suspended solids.

### **3. Potential for Restoring and/or Protecting Natural State and Condition:**

This stretch is included within the North Fork St. Lucie River Aquatic Preserve and is also an Outstanding Florida Water. In addition to the river flood plain, the project includes approximately 175 acres of high quality uplands, such as high hammock, pine flatwoods and sand pine scrub.

### **4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:**

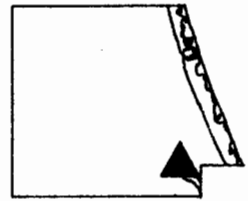
Encroaching urban development proves the greatest threat. No flood plain restoration or structure replacement appears necessary. Some exotic vegetation is present, but in controllable amounts. Both St. Lucie County and the City of Port St. Lucie have agreed to manage the property and commit funds for management should it be acquired.

### **5. Public Recreation:**

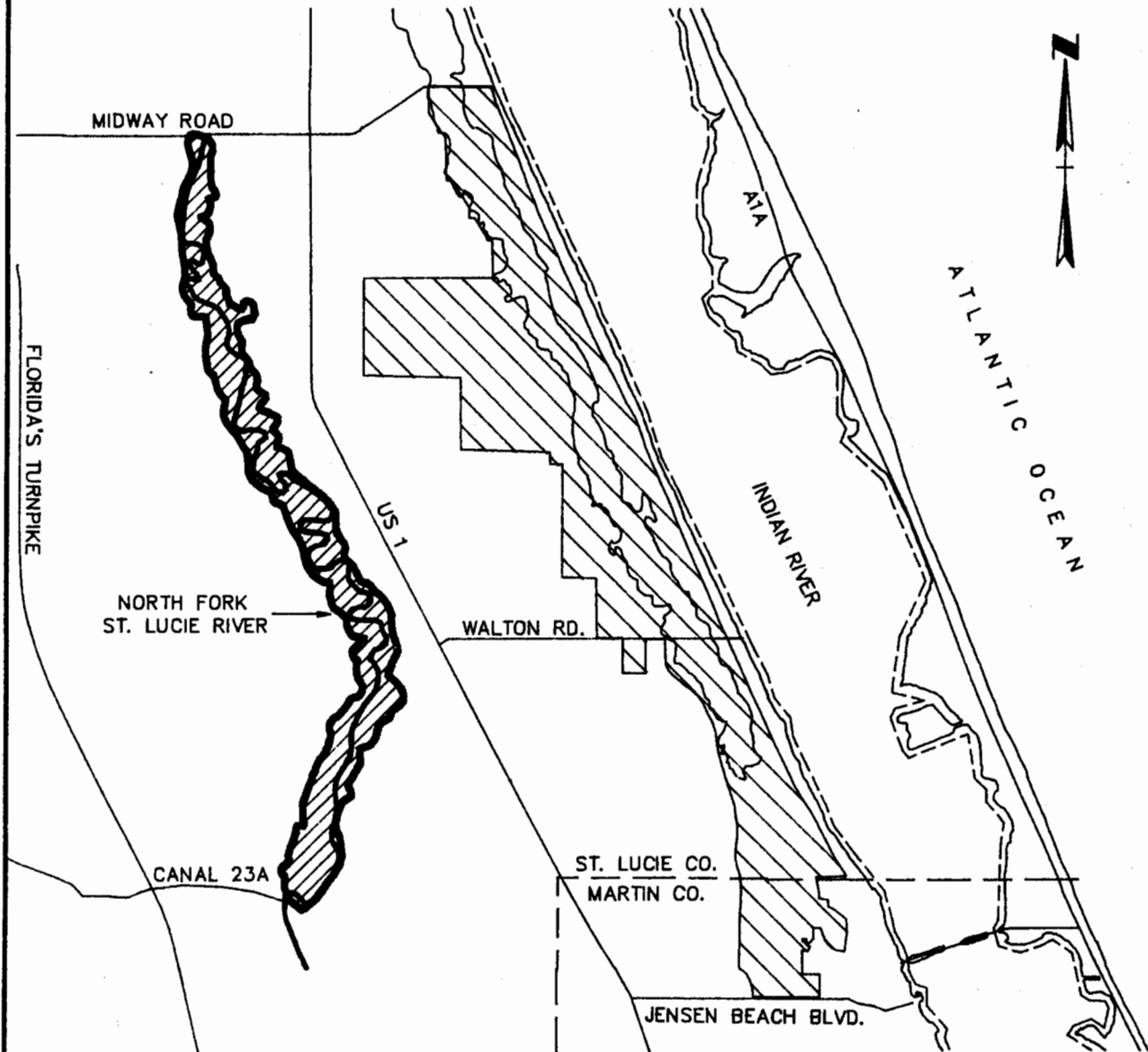
Due to its proximity to the rapidly expanding areas of St. Lucie County, the property is readily accessible to potential users. Boating, fishing and canoeing are actively pursued on this part of the river at this time. The willingness of local government to participate in management increases the likelihood of riverfront parks and other passive recreational facilities.

# North Fork St. Lucie River

LOCATION MAP



ST. LUCIE COUNTY



- NORTH FORK ST. LUCIE RIVER AREA
- SAVANNAHS STATE RESERVE AREA





## *Save Our Rivers Project*

# SHINGLE CREEK

**County:** Orange  
**Total Project Area:** 3,000 Acres  
**Estimated Assessed Value:** \$2,000,000  
**Number of Owners:** Numerous

### **1. General Description**

Shingle Creek Swamp covers nearly 3,000 acres in Southern Orange County. It is a major receiving body for much of the storm water runoff from areas south and southwest of the City of Orlando. The U.S. Army Corps of Engineers' proposed Shingle Creek project could cause environmental problems by restricting the flow of water into the eastern portion of the swamp and adding excess water to the western portion.

### **2. Importance of Water Management, Water Supply, and Conservation and Protection of Water Resources:**

Shingle Creek Swamp is largely isolated, except for its connection with Shingle Creek, which flows along the eastern border of the swamp. It plays a very important water management role because it receives the stormwater from most of Valencia Water Control District (VWCD). The swamp has several wetland habitat types, but it has been divided by two powerline easements and their associated service roads. The swamp plays major roles in flood attenuation and water quality improvement.

### **3. Potential for Restoring and/or Protecting Natural State and Condition:**

Some modifications may have to be made to the U.S. Army Corps of Engineers Water Management plan to restore more sheet flow to the eastern portion of the swamp. VWCD has begun to eliminate canal berms and restore sheetflow to parts of the swamp. The intense development pressure around the swamp would probably increase the need for exotic control, fencing and posting.

### **4. Potential for Managing and Maintaining in an Environmentally Acceptable Manner:**

Some hydrologic restoration will be needed, similar to those activities already started by VWCD.

Breaches in the levee of Shingle Creek should be made to force sheetflow back into the swamp. Exotic control along the powerline easements may be necessary in the future. Other than the above listed items, Shingle Creek Swamp is in relatively good condition.

### **5. Public Recreation:**

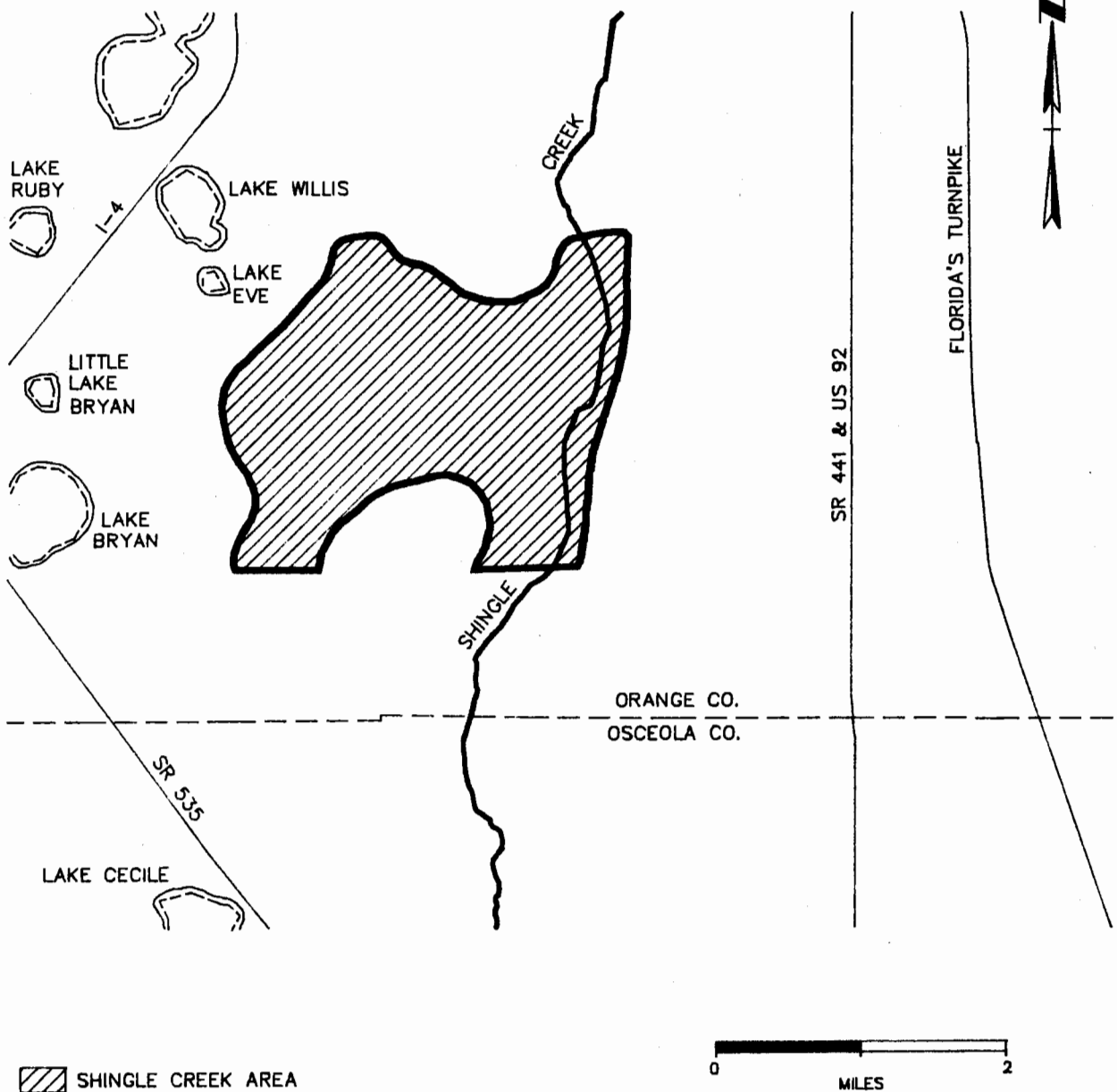
Canoeing in Shingle Creek is a popular activity. If public access could be obtained along the powerline easements, hiking trails or boardwalks could be established. The dense nature of the swamp will probably prohibit extensive recreational use.

# Shingle Creek Swamp

LOCATION MAP



ORANGE COUNTY



## Save Our Rivers Project

# SIX MILE CYPRESS II

**County:** Lee  
**Total Project Area:** 225 Acres <sup>1</sup>  
**Estimated Assessed Value:** \$2,000,000  
**Number of Owners:** Multiple

### 1. General Description

Six Mile Cypress Slough occupies approximately 2000 acres in Lee County southeast of the City of Ft. Myers. It extends from State Road 82 southwesterly for approximately nine miles to Ten Mile Canal. The slough averages 1,500 feet in width. This project (Six Mile Cypress II), locally known as the "North Arm", covers approximately 225 acres and appears to be a transitional arm of the main slough. It extends to the east for approximately two miles and varies in width from 400' - 1000'. The arm collects runoff from the north and areas east of I-75. Box culverts under the interstate direct runoff through the arm and into the main strand of Six Mile Cypress. The Slough consists of cypress swamp, interspersed with numerous open ponds. It is fringed with pine flatwoods, transitional hardwoods, wet prairies, and Melaleuca.

### 2. Land Stewardship Activities:

#### A. Restoring and/or Protecting Natural State and Condition:

Lee County has agreed to develop, operate and maintain the slough as a nature preserve under an agreement with the District. A detailed description of the slough is contained in the Six Mile Cypress Slough Management Plan prepared by the County in 1986. Specific actions to implement the plan are set forth in the Six Mile Cypress Slough Preserve Land & Water Management Plan prepared by the County and approved by the District in 1988.

Six Mile Cypress Basin is being studied as part of the Lee County Surface Water Management Master Plan. It will recommend design criteria to prevent further degradation and slough enhancement. A principal objective will be to restore a more natural hydroperiod to aid in wetland revitalization.

The District, through its local Government Assistance Program, is working with Lee County to develop a Surface Water Management Master Plan for Six Mile Basin. The plan will propose

management strategies, such as revitalization of flow ways to restore flows to the North Arm and main strand of the slough.

Melaleuca and Brazilian pepper are problem exotics that have proliferated in certain portions of the slough. Native vegetation has been completely replaced by Melaleuca in approximately 200 acres. A vigorous eradication/control program involving chemical and mechanical applications is planned to halt the future spread of these species. Reforestation with native species will be undertaken where large stands of exotics are removed.

#### B. Managing and Maintaining in an Environmentally Acceptable Manner:

The entire perimeter of the slough is being posted to prevent unauthorized access, and problem areas are being fenced and/or barricaded. Routine patrol will be provided by preserve personnel and the Lee County Sheriff's Department.

A prescribed burning program is proposed for the pine flatwoods north of Penzance Road to maintain the species composition of this community and prevent the buildup of fuels that could result in damaging wildfires. Fire lanes will be constructed to facilitate the burns and to protect sensitive cypress and hardwood areas. Wildfires will be suppressed only when considered necessary to protect adjacent lands and highway travel or when preserve resources would be subject to irreparable damage.

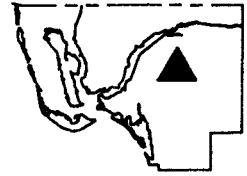
#### C. Public Recreation:

The slough has been used informally for both active and passive recreational activities for many years. The continuation of passive activities such as fishing, picnicking, photography and nature observation will be encouraged in appropriate locations within the preserve. Interpretive facilities consisting of an elevated boardwalk, covered amphitheater and parking area will be developed by Lee County to enhance visitor appreciation of the preserve. Special programs will be conducted by the Lee County Parks and Recreation Department. The Lee County School Board Department of Environmental Education will continue its past practice of conducting field trips to the slough.

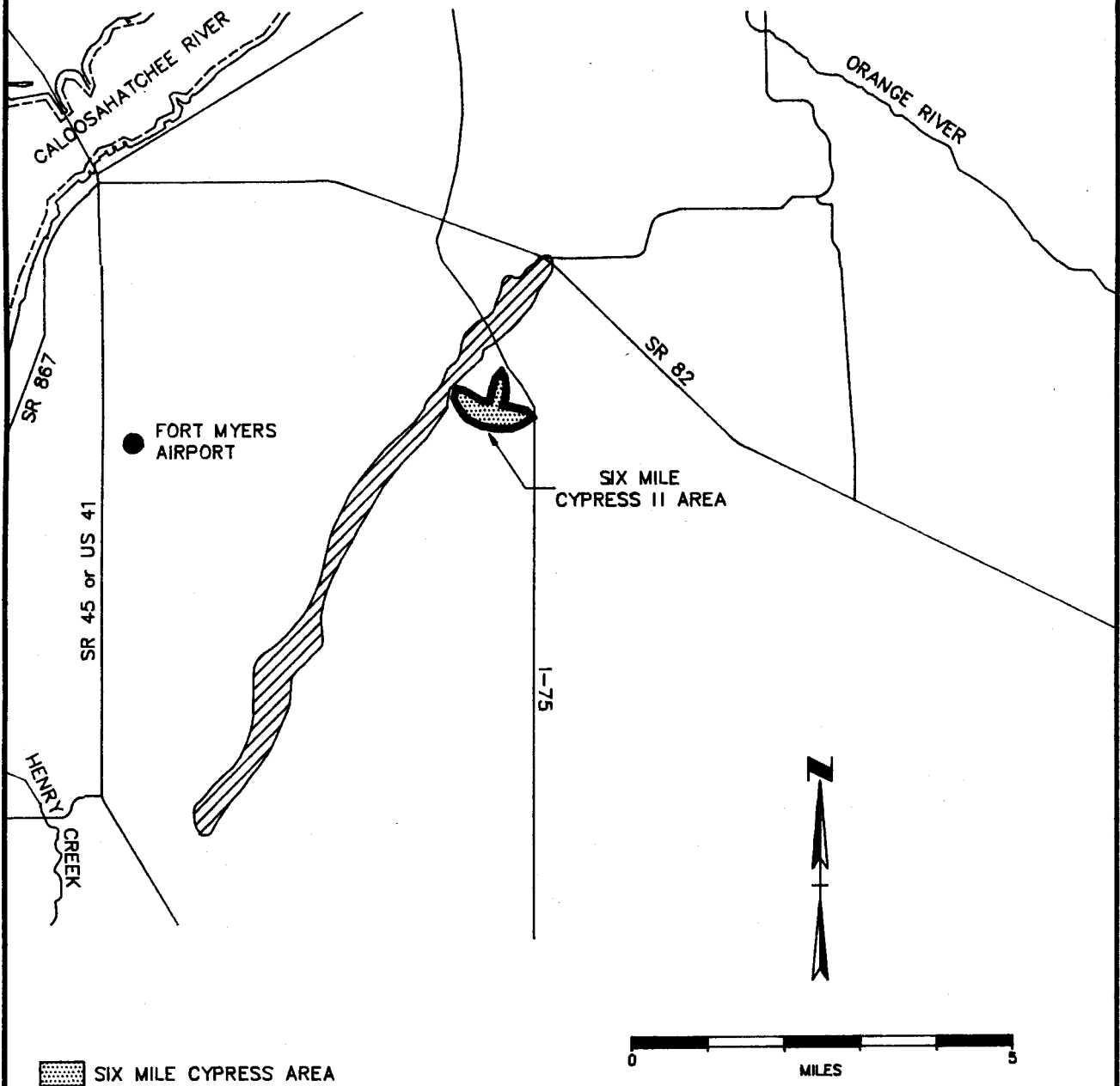
<sup>1</sup> See Six Mile Cypress I

# Six Mile Cypress II

LOCATION MAP



LEE COUNTY



## *Save Our Rivers Project*

# **WATER MANAGEMENT AREA 3**

**County:** Palm Beach  
**Total Project Area:** 14,000 Acres  
**Estimated Assessed Value:** 46 million  
**Number of Owners:** Numerous

**1. Purpose & Function:**

To reduce phosphorus concentrations entering WCA-3A from the S-7 drainage basin.

**2. Location & Land Use:**

- 14,000 acres located between Station S-7 and Holey Land.
- Mixed acreages of sugar cane and sod.

**3. Benefits:**

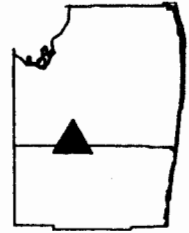
- Removal of the approximately 57 tons of phosphorus per year from the S-7 and S-8 drainage basin prior to discharging into WCA-3A.
- Phosphorus reduction will directly benefit WCA-3A.
- WMA-3 will reduce the S-7 and S-8 basin phosphorus problems, will redistribute sheet flow along most the northern section of WCA-3A and may also be used to reduce loadings to the Holey Land.

**4. Funding Assumptions:**

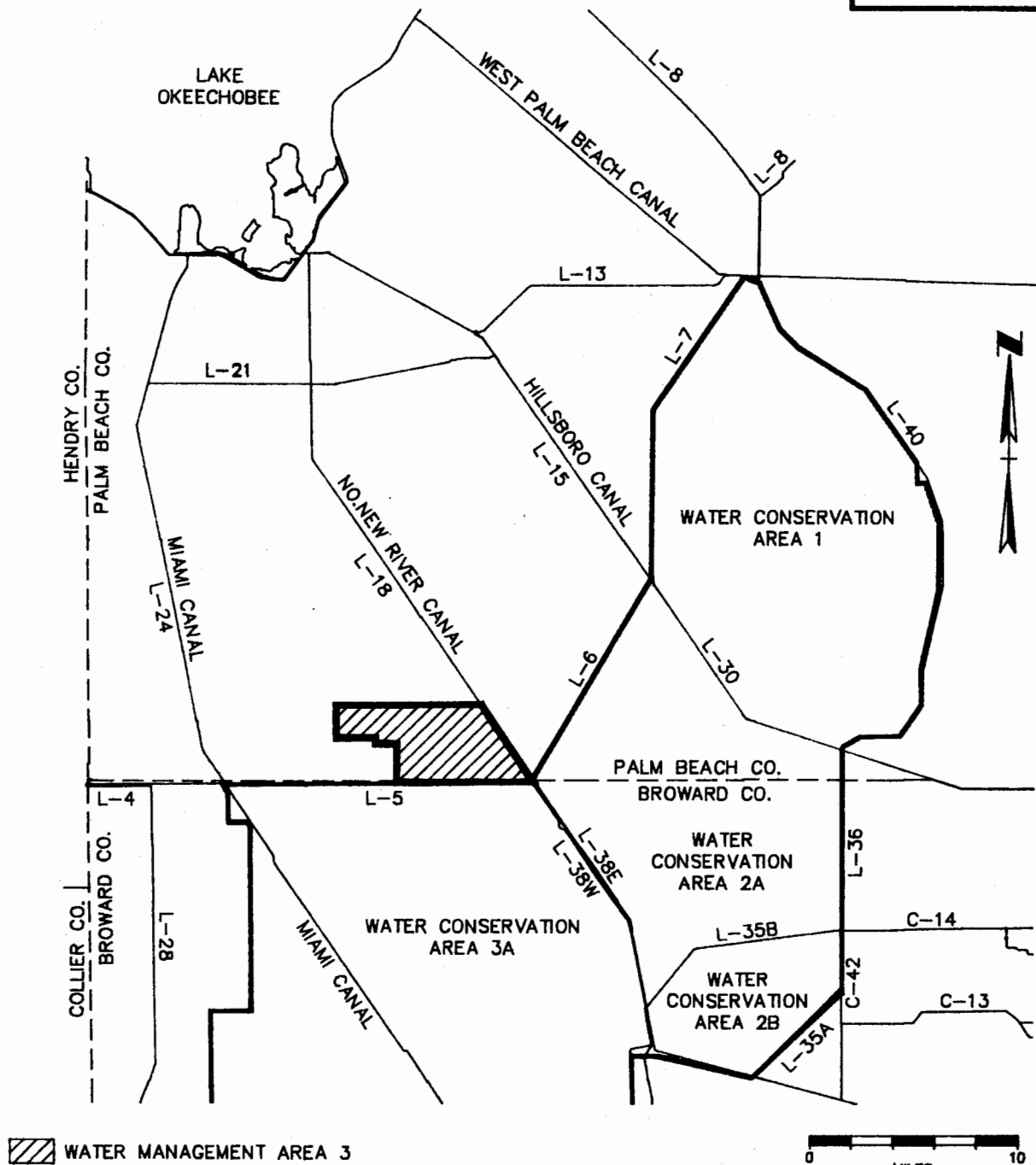
- EAA provides 50% of funds and Mitigation; SOR provides 50%.

# Water Management Area 3

LOCATION MAP



PALM BEACH AND  
BROWARD COUNTIES





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**1991 Save Our Rivers  
Five Year Plan**

**Appendix A**

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**FLORIDA RESOURCES RIVER ACT**

**F.S. 373.59**

**373.59 Water Management Lands Trust Fund.--**

(1) There is established within the Department of Environmental Regulation the Water Management Lands Trust Fund to be used as a nonlapsing fund for the purposes of this section. The moneys in this fund are hereby continually appropriated for the purposes of land acquisition, management, maintenance, and capital improvements in accordance with the provisions of this section. Up to 10 percent of the moneys in the fund may be allocated annually to the districts for management, maintenance, and capital improvements pursuant to subsection (7). The districts may contract with state agencies to provide the management and maintenance services.

(2)(a) Subsequent to public hearings, similar to those held pursuant to s. 120.54, each district shall file a 5-year plan for acquisition with the Legislature and the Secretary of Environmental Regulation by January 15, 1982. Annually thereafter, each district shall file with the Legislature and the secretary a report of acquisition activity together with modifications or additions to its 5-year plan of acquisition. The report shall also include a description of land management activity. Expenditure of moneys from the Water Management Lands Trust Fund shall be limited to the costs for acquisition, management, maintenance, and capital improvements of lands included within the plan as filed by each district; however, no such acquisition of lands shall occur without a public hearing similar to those held pursuant to the provisions set forth in s. 102.54. In the annual update of its 5-year plan for acquisition, each district shall identify lands needed to protect or recharge groundwater and shall establish a plan for their acquisition as necessary to protect potable water supplies. Lands which serve to protect or recharge groundwater identified pursuant to this paragraph shall also serve to protect other valuable natural resources or provide space for natural resource-based recreation.

(b) Moneys from the fund shall be used for continued acquisition,

management, maintenance, and capital improvements of the following lands and lands set forth in the 5-year land acquisition plan of the district:

1. By South Florida Water Management District--lands in the water conservation areas and areas adversely affected by raising water levels of Lake Okeechobee in accordance with present regulation schedules, and the Savannahs Wetland area in Martin County and St. Lucie County.

2. By Southwest Florida Water Management District--lands in the Four River Basins areas, including Green Swamp, Upper Hillsborough and Cypress Creek, Anclote Water Storage Lands (Starkey), Withlacoochee and Hillsborough riverine corridors, and Sawgrass Lake addition.

3. By St. Johns River Water Management District--Seminole Ranch, Latt Maxey and Evans properties in the upper St. Johns River Basin.

4. By Suwannee River Water Management District--lands in Suwannee River Valley.

5. By Northwest Florida Water Management District--lands in the Choctawhatchee and Apalachicola River Valleys.

(3)(a) Moneys from the Water Management Lands Trust Fund shall be used for acquiring the fee or other interest in lands necessary for water management, water supply, and the conservation and protection of water resources, except that such moneys shall not be used for the acquisition of rights-of-way for canals or pipelines. Such moneys shall also be used for management, maintenance, and capital improvements. Lands acquired with moneys from the fund shall be managed and maintained in an environmentally acceptable manner and, to the extent practicable, in such a way as to restore and protect their natural state and condition.

(b) The secretary of the Department of Environmental Regulation shall release moneys from the Water Management Land Trust Fund to a district for preacquisition costs within 30 days after

receipt of a resolution adopted by the district's governing board which identifies and justifies any such preacquisition costs necessary for the purchase of any lands listed in the district's 5-year plan. The district shall return to the department any funds not used for the purposes stated in the resolution, and the department shall deposit the unused funds into the Water Management Lands Trust Fund.

(c) The secretary of the Department of Environmental Regulation shall release acquisition moneys from the Water Management Lands Trust Fund to a district following receipt of a resolution adopted by the governing board identifying the lands being acquired and certifying that such acquisition is consistent with the plan of acquisition and other provisions of this act. The governing board shall also provide to the Secretary of Environmental Regulation a copy of all certified appraisals used to determine the value of the land to be purchased. If the purchase price is greater than the appraisal price, the governing board shall submit written justification for the increased price. The Secretary of Environmental Regulation may withhold moneys for any purchase that is not consistent with the 5-year plan or the intent of this act or that is in excess of appraised value. The governing board may appeal any denial to the Land and Water Adjudicatory Commission pursuant to s. 373.114.

(d) The secretary of the Department of Environmental Regulation shall release to the district moneys for management, maintenance, and capital improvements following receipt of a resolution and request adopted by the governing board which specifies the designated managing agency, specific management activities, public use, estimated annual operating costs, and other acceptable documentation to justify release of moneys.

(4) Water management land acquisition costs shall include payments to owners and costs and fees associated with such acquisition.

(5) If a district issues revenue bonds or notes under s. 373.584, the district may

pledge its share of the moneys in the Water Management Lands Trust Fund as security for such bonds or notes. The Department of Environmental Regulation shall pay moneys from the trust fund to a district or its designee sufficient to pay the debt service, as it becomes due, on the outstanding bonds and notes of the district; however, such payments shall not exceed the district's cumulative portion of the trust fund. However, any moneys remaining after payment of the amount due on the debt service shall be released to the district pursuant to subsection (3).

(6) Any unused portion of a district's share of the fund shall accumulate in the trust fund to the credit of that district. Interest earned on such portion shall also accumulate to the credit of that district to be used for land acquisition, management, maintenance, and capital improvements as provided in this section. The total moneys over the life of the fund available to any district under this section shall not be reduced except by resolution of the district governing board stating that the need for the moneys no longer exists.

(7) Moneys from the Water Management Lands Trust Fund shall be allocated to the five water management districts in the following percentages:

(a) Thirty percent to the South Florida Water Management District.

(b) Twenty-five percent to the Southwest Florida Water Management District.

(c) Twenty-five percent to the St. Johns River Water Management District.

(d) Ten percent to the Suwannee River Water Management District.

(e) Ten percent to the Northwest Florida Water Management District.

(8) Beginning in fiscal year 1986-87, each district may use up to 10 percent of its allocation under subsection (7) for management, maintenance, and capital improvements. Capital improvements shall include, but need not be limited to, perimeter fencing, signs, firelanes, access roads and trails, and minimal public accommodations, such as primitive campsites, garbage receptacles, and toilets.

CHAPTER 17-42  
WATER MANAGEMENT LANDS TRUST FUND

Scope:  
17-42.001 Definitions.  
17-42.020 Release of Funds.  
17-42.030 District Share of Acquisition Costs.  
17-42.040 Financial Reports.  
17-42.050 Water Management District Lands Trust Fund Bond Issues.  
17-42.060

17-42.001 Scope.  
This chapter provides the requirements and procedures for the release of moneys from the Water Management Lands Trust Fund to the water management districts for use in acquiring lands necessary for water management purposes.

Specific Authority: 373.026, 373.043, F.S.  
Law Implemented: 373.016, 373.026, 373.043, 373.59, F.S.  
History: New 3-24-82. Previously numbered as 17-42.01.

17-42.020 Definitions.  
(1) "Acquisition Costs" shall mean direct costs actually incurred by a water management district in the acquisition of the fee or other legal interest in lands and payments to owners.

(2) "Bonds" shall mean any revenue bonds or notes for which a district has pledged its share of the funds in the Water Management Lands Trust Fund as security.

(3) "Debt Service" shall mean payments for principal and interest due on any bonds issued by the district.

(4) "Department" shall mean the Department of Environmental Regulation.

(5) "District" shall mean any one of the five water management districts listed in Subsection 373.59(6), Florida Statutes.

(6) "Funds" shall mean moneys in the Water Management Lands Trust Fund.

(7) "Lands" shall mean the real property in which the fee or other legal interest has been acquired or is intended to be acquired according to the provisions of Section 373.59, Florida Statutes.

(8) "Year" shall mean the State fiscal year.

Specific Authority: 373.026, 373.043, F.S.  
Law Implemented: 373.016, 373.026, 373.043, 373.59, F.S.  
History: New 3-24-82. Previously numbered as 17-42.02. Amended 9-17-86.

17-42.030 Release of Funds.  
(1) Funds may be released to the districts for payment of land acquisition costs as provided in (2)-(6) below; for payment of debt service on land acquisition bond issues as provided in Rule 17-42.060, F.A.C., and for other purposes where specified by state law.

(2) Funds may be released to the districts for payment of land acquisition costs as provided in (2)-(6) below; for payment of debt service on land acquisition bond issues as provided in Rule 17-42.060, F.A.C., and for other purposes where specified by state law.

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NAME OF PERSON ORIGINATING PROPOSED RULE:  
Clark Maxwell, Jr., Executive Director, Community College System

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cecil Golden, Deputy Commissioner, Department of Education

DATE PROPOSED RULE APPROVED: September 7, 1990

**9. DEPARTMENT OF ENVIRONMENTAL REGULATION**

DOCKET NO.: 89-105R

RULE CHAPTER TITLE: Water Management Lands Trust Fund

RULE CHAPTER NO.: 17-402

RULE TITLES:

RULE NOS.:

Scope 17-402.001

Definitions 17-402.020

Release of Funds 17-402.030

District Share of Acquisition Costs 17-402.040

Financial Reports 17-402.050

Water Management District Lands Trust

Fund Bond Issues 17-402.060

PURPOSE AND EFFECT: The Water Management Lands Trust Fund is authorized by Section 373.59, F.S. The general criteria for disbursements from the fund for land acquisition costs are contained in Rule 17-402, F.A.C. In 1986, Section 373.59, F.S., was amended to allow management, maintenance and capital improvement costs to be recovered from the fund. The Department is proposing to amend Rule 17-402, F.A.C., to include criteria for release of moneys for these costs, to avoid confusion and delay in processing requests for moneys from the fund. The Department has developed language to be incorporated into the rule which clarifies the procedures for requesting moneys from the fund. The proposed rule will expedite processing of requests from the water management districts for moneys from the fund for all allowable purposes.

SUMMARY: The proposed rule language is expanded to more accurately reflect the current statutory language. New definitions are added as required by the addition of new language addressing management, maintenance, and capital improvement costs. The proposed rule will address the changes made by the Legislature in 1986 to allow the use of funds for management, and provides procedures for implementing the statutory language. "Preacquisition costs" are included to address the change to Section 373.59, F.S. made by the 1990 Legislature as part of the Preservation 2000 Act, Chapter 90-217, Laws of Florida.

SPECIFIC RULEMAKING AUTHORITY: 373.043, 373.59, F.S.

LAW IMPLEMENTED: 373.016, 373.026, 373.043, 373.139, 373.59, F.S.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT: Adoption of the proposed revisions to Rule 17-402, F.A.C., is not expected to result in any significant increase in costs or workload to the Department. In the long-run, the clarification of procedures should actually reduce workload by allowing water management districts to provide needed information with the initial request, thus expediting the processing of those requests.

The revised rule providing detailed information will enable staff to more easily decide whether a request for monies qualifies for disbursement from the fund. This information will expedite the request review process for both the districts and the Department. Therefore, possible confusion and failure to provide sufficient information, which may result in costly delays in disbursement of needed funds, will be avoided. Also, the information required by the revised rule will provide the Department with assurances that applicable auditing requirements are being met.

No significant effects on competition, the open market for employment, or small businesses are expected to result from adoption of the proposed revisions.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 2:00 p.m., October 22, 1990

PLACE: Department of Environmental Regulation, Twin Towers, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Ruark L. Cleary, Department of Environmental Regulation, Intergovernmental Coordination Section, Twin Towers, Room 524B, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Phone (904) 488-0130.

**THE FULL TEXT OF THE PROPOSED RULES ARE:**

17-402.001 Scope. This chapter provides the requirements and procedures for the release of moneys from the Water Management Lands Trust Fund to the water management districts for use in acquiring lands necessary for water management, water supply and the conservation and protection of water resources, and for use in management, maintenance, and capital improvement of said lands purposes.

Specific Authority 373.026, 373.043 F.S. Law Implemented 373.016, 373.026, 373.043, 373.59 F.S. History—New 3-24-82, Formerly 17-42.01, Amended \_\_\_\_\_

**17-402.020 Definitions.**

(1) "Acquisition Costs" shall mean direct costs actually incurred by a water management district in the acquisition of the fee or other legal interest in lands, including the purchase price and ancillary costs such as legal and title fees, surveying fees, appraisal and negotiation fees, environmental audits and personnel costs for these and related services and payments to owners.

(2) "Allocation" shall mean the district's share of the funds credited to each district during a year, pursuant to Section 373.59(7), Florida Statutes, plus any funds credited to the district in previous years which remain unencumbered by the district at the end of the year.

(3)(2) No change

(4) "Capital Improvements" shall include, but is not limited to, perimeter fencing, signs, firelanes, access roads, bridges and trails, structures, and minimal public accommodations, such as primitive campsites, garbage receptacles, and toilets.

(5)(3) No change

(6)(4) No change

(7)(5) "District" shall mean any one of the five water management districts listed in Subsection 373.59(7)(6), Florida Statutes.

(8)(6) No change

(9)(7) No change

(10) "Management and Maintenance" shall mean activities necessary to maintain lands in an environmentally acceptable manner, to restore and protect the natural state and condition of the lands, to provide use of lands for general public recreational purposes, and to provide use of renewable resources.

(11) "Preacquisition costs" shall mean those costs incurred by a water management district that are associated with preliminary and preparatory activities necessary for the district to pursue acquisition of the fee or other legal interest in lands pursuant to Section 373.59, Florida Statutes.

(12)(8) No change

Specific Authority 373.026, 373.043 FS. Law Implemented 373.016, 373.026, 373.043, 373.59 FS. History—New 3-24-82, Formerly 17-42.02, Amended 9-17-86, Formerly 17-42.020, Amended

#### 17-402.030 Release of Funds.

(1) Funds may be released to the districts for preacquisition costs, payment of land acquisition costs, and management, maintenance, and capital improvement costs as provided in (2)-(11)(6) below; for payment of debt service on land acquisition bond issues as provided in Rule 17-402.060, FAC., and for other purposes where specified by state law.

(2) Each district may use up to 5 percent of its allocation from the Water Management Lands Trust Fund for preacquisition costs as defined herein. Preacquisition costs shall be requested in accordance with Section 373.59(3)(b), Florida Statutes, and subsections (3) and (4) below, as applicable. Payment of preacquisition costs is not predicated on consummation of an acquisition.

(3)(2) A formal resolution adopted by the district governing board, together with a copy of all certified appraisals obtained by the district to determine the value of the land to be purchased, shall be submitted to the Department for release of funds requested by a district for land acquisition costs. Except as provided in subsections (9)-(11) (5)(7), below, the Department shall release funds to a district within a reasonable time, not to exceed 30 days, after the receipt of the governing board resolution or, for lands to be acquired by eminent domain, after the receipt of a subsequent request from the district's legal counsel for the release of funds.

(4)(3) The governing board resolution shall certify the following:

(a)-(c) No change

(d) That the acquisition of lands or interests therein for which funds are requested is consistent with the five-year plan of acquisition filed with the Legislature and the Department, and or, in the case of lands acquired prior to July 15, 1982, is consistent with Section 373.59(2)(a), Florida Statutes.

(e)-(f) No change

(g) That lands acquired pursuant to this Chapter shall be maintained in an environmentally acceptable manner, and

to the extent practicable, in such a way as to restore and protect their natural state and conditions; and

(h) That should the district dispose of any lands or interests acquired pursuant to this Chapter, all revenues derived therefrom will be used to acquire other lands for water management, water supply and the conservation and protection of water resources; and.

(i) No change

(5)(4) All lands to be acquired, except those to be acquired by donation, shall be appraised by at least one independent real estate appraiser.

(6) Each district may use up to 10 percent of its allocation from the Water Management Lands Trust Fund for management, maintenance, and capital improvements.

(7) A formal resolution and request adopted by the district governing board shall be submitted to the Department for release of funds for management, maintenance and capital improvements. Except as provided in subsections (9)-(11), below, the Department shall release funds to a district within a reasonable time, not to exceed 30 days, after the receipt of the governing board resolution and acceptable documentation to justify release of moneys.

(8) The governing board resolution shall certify that the money is needed to reimburse the district for expenditures during a specified time period or to meet the reasonably expected cash needs of the district within the next 90 days and that the money was or will be used to:

1. manage and maintain lands in an environmentally acceptable manner and, to the extent practicable, in such a way as to restore and protect their natural state and condition;

2. develop management plans which include an evaluation of the resource value, environmental sensitivity and recreational suitability of these lands; and

3. make available to the public those lands suitable for general public recreational purposes, unless such use is demonstrated to be incompatible with the purposes for which the lands were acquired. The resolution shall specifically include:

(a) The amount of money being requested;

(b) The designated managing agency(s);

(c) A detailed description of management, maintenance, and capital improvement activities, including an identification of specific lands, parcels, or projects on which the activities are occurring;

(d) The estimated annual operating costs;

(e) A statement that the proposed use of requested moneys is consistent with Section 373.59, Florida Statutes and Chapter 17-402, Florida Administrative Code; and

(f) A statement that any revenue derived from the use and management of lands shall be utilized for purposes as provided in subsection (1).

(9)(6) Upon receipt by the Secretary of the Department of a the resolution specified in subsections (3) or (7), Rule 17-42.030(2), FAC, the Department shall review the resolution acquisition for consistency with the district's five year plan and the intent of Chapter 373, Florida Statutes, and shall evaluate the justification for any preacquisition costs, shall evaluate the justification for any purchase price in excess of appraised value for acquisitions, and shall evaluate the



justification for withholding lands from public use for land management requests. The Department shall also determine whether there are sufficient funds allocable to the district, in excess of funds reserved for bond issue debt service or reserve accounts, to pay the requested acquisition costs. Within 20 days of receipt of a the resolution and all necessary documentation, the Secretary shall notify the district in writing that either the funds will be released or that they will not be released. If funds will not be released, a written the notice shall specify the reasons for withholding the moneys requested. If no notice is given, the release of funds shall be deemed to have been approved.

(10)(6) No change

(11)(7) No change

Specific Authority 373.026, 373.043 FS. Law Implemented 373.016, 373.026, 373.043, 373.139, 373.59 FS. History—New 3-24-82, Formerly 17-42.03, Amended 9-17-86, Formerly 17-42.030, Amended \_\_\_\_\_

17-402.060 Water Management Lands Trust Fund Bond Issues. A district that issues revenue bonds pursuant to Section 373.584, Florida Statutes, shall comply with the provisions of this section.

(1) — (2)(a) No change

(b) the name and address of the registrar and paying agent and the terms for transfer of funds to the paying agent, and

(3) No change

(4) After receipt by the Department of the district's resolution authorizing issuance of bonds, and the signed written agreement, the district Department shall, commencing on the date of issuance of the bonds, or such prior date as may be agreed to by the Department and the district set aside and escrow from the first available fund in the Water Management Lands Trust Fund that are allocable to the district, sufficient funds to pay the principal and interest on the bonds that shall become due for the 12 month period commencing with the date of issuance, or more if required by the Bond Agreement. The district Department shall similarly set aside and escrow funds for each following 12 month period in accordance with the agreement until the entire issue is retired. In the event that the district, by prior agreement with the Department, may choose not to set aside and escrow funds as described herein, the Department shall fulfill the requirements of this subsection.

(5) — (6) No change

(7) Any moneys in the Water Management Lands Trust Fund allocable to the district in excess of the amounts set aside for payment of debt service on the bond issue, or for other accounts as provided in Rule 17-402.060(2)(e), FAC, may be utilized and withdrawn in accordance with Rule 17-402.030, FAC.

(8) After the district has issued the bonds and the Department has undertaken payment of the debt service on such bonds, the district shall submit to the Department a separate formal resolution adopted by the governing board for each individual land acquisition that is made using proceeds from the bonds or interest earned on such proceeds. Such resolution shall conform to the requirements set forth for land acquisitions in Rule 17-402.030(4)(3), FAC, and shall have a copy of all certified appraisals obtained by the district to determine the value of the land to be acquired attached.

The district shall not disburse funds for the acquisition prior to the expiration of the 20 day review period set forth in Rule 17-402.030(9)(5), FAC, and in the event the Secretary of the Department disapproves such purchase pursuant to Rule 17-402.030(9)(5), FAC., the district shall not disburse funds for an acquisition unless and until the Secretary's decision is reversed on appeal by the Land and Water Adjudicatory Commission.

(9) No change

Specific Authority 373.016, 373.026, 373.043, 373.139, 373.589, 373.59 FS. Law Implemented 373.016, 373.139, 373.589, 373.59 FS. History—New 9-17-86, Formerly 17-42.060, Amended \_\_\_\_\_

NAME OF PERSON ORIGINATING PROPOSED RULE:

Ruark L. Cleary

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John Shearer

DATE PROPOSED RULE APPROVED: August 1, 1990

10. DEPARTMENT OF PROFESSIONAL REGULATION  
RULE TITLE: \_\_\_\_\_ RULE NO.:

Biennial Licensing

21-6.008

PURPOSE, EFFECT AND SUMMARY: The purpose of this rule revision is to eliminate peak workload periods during the biennial licensure period resulting in a more even workload displacement for Departmental staff and ultimately providing faster license renewal response. This chart supersedes the present table as outlined in Rule 21-6.008(4), Florida Administrative Code.

SPECIFIC RULEMAKING AUTHORITY: 455.203, F.S.  
LAW IMPLEMENTED: 455.203, F.S.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT OF THE RULE: The overall economic impact of this proposed rule equates to a "one time" additional revenue collection from selected professionals in return for an extended licensure period, in the next biennial licensure period of the selected profession. For example, if a profession currently has an expiration date of January 31 of every even year and this rule proposes that the expiration date be moved to February 28, of every even year, the licensee would be required to pay 1/24 of the current biennial license fee rounded up to the nearest dollar in addition to the biennial license fee, and would have the additional licensure period added to the biennial license period for which he/she is renewing.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., October 15, 1990

PLACE: Department of Professional Regulation, 1940 North Monroe Street, Suite 60, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Bob West, Director, Division of Examination and Licensure, Department of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0792, (904) 487-1905.

THE FULL TEXT OF THE PROPOSED RULE IS:

(This table supersedes the present table as outlined in Rule 21-6.008(4), Florida Administrative Code.)



(5) Upon receipt by the Secretary of the Department of the resolution specified in Rule 17-42.030(2), F.A.C., the Department shall review the acquisition for consistency with the district's five year plan and the intent of Chapter 373, Florida Statutes, and shall evaluate the justification for any purchase price in excess of appraised value. The Department shall also determine whether there are sufficient funds allocable to the district, in excess of funds reserved for bond issue debt service or reserve accounts, to pay the acquisition costs. Within 20 days of receipt of the resolution, the Secretary shall notify the district in writing if the funds will or will not be released, and shall specify the reasons for withholding the moneys requested. If no notice is given, the release of funds shall be deemed to have been approved.

(6) Upon receipt of notice that the Secretary of the Department is withholding funds, the district governing board may, within 45 days, appeal such denial of funds to the Land and Water Adjudicatory Commission. Notice of such appeal shall be provided in writing to the Secretary of the Department at the time such appeal is filed with the Commission.

(7) Funds for acquisition of lands shall not be requested by the districts more than 60 days prior to the anticipated closing date, or the anticipated date of deposit in the registry of the court in the case of eminent domain proceedings.

Specific Authority: 373.026, 373.043, F.S.

Law Implemented: 373.016, 373.026, 373.043, 373.590, F.S.

History: New 3-24-82. Previously numbered as 17-42.03. Amended 9-17-86.

#### 17-42.040 District Share of Acquisition Costs.

Specific Authority: 373.026, 373.043, F.S.

Law Implemented: 373.016, 373.026, 373.043, 373.59, F.S.

History: New 3-24-82. Repealed 9-17-86.

#### 17-42.050 Financial Reports.

The Department shall provide financial reports to the districts on a periodic basis and upon special request by a district.

Specific Authority: 373.026, 373.043, F.S.

Law Implemented: 373.016, 373.026, 373.043, 373.59, F.S.

History: New 3-24-82. Previously numbered as 17-42.05.

#### 17-42.060 Water Management Lands Trust Fund Bond Issues.

A district that issues revenue bonds pursuant to Section 373.584, Florida Statutes, shall comply with the provisions of this section.

(1) Prior to issuance of bonds, the district shall submit to the department a resolution authorizing issuance of such bonds.

(2) At least 14 days prior to issuance of bonds, including issuance of additional bonds authorized under a previous resolution, the district shall enter into a written agreement with the Department that shall set forth the following:

17-42.030(5) -- 17-42.060(2)

(a) the debt service schedule which contains the actual amounts of the payment for principal and interest to be paid and the dates for payment, and  
(b) the name and address of the registrar and paying agent and the terms for transfer of funds to the paying agent, and

(3) The debt service schedule shall be structured in a manner to provide reasonable assurance that required payments will not exceed anticipated revenues for that purpose.

(4) After receipt of the district's resolution authorizing issuance of bonds, and the signed written agreement, the Department shall, commencing on the date of issuance of the bonds, or such prior date as may be agreed to by the Department and the district set aside and escrow from the first available fund in the Water Management Lands Trust Fund that are allocable to the district, sufficient funds to pay the principal and interest on the bonds that shall become due for the 12 month period commencing with the date of issuance, or more if required by the Bond Agreement. The Department shall similarly set aside and escrow funds for each following 12 month period in accordance with the agreement until the entire issue is retired.

(5) In the event that in any one year the funds in the Water Management Lands Trust Fund allocable to the district are insufficient to pay the debt service on the bonds as it becomes due, the Department shall make up such deficiency first from reserve funds from bond proceeds and then from the next available funds in the Water Management Lands Trust Fund allocable to the district until the debt service payments are brought current. If any reserve funds from bond proceeds are used to pay such deficiencies, the reserve funds from bond proceeds shall be replenished to the level set forth in the bond agreement before additional funds are accrued for debt service payments.

(6) The district shall notify the Department if it purchases, redeems or refund bonds from any surplus or other account; makes any modifications to the terms of the bonds that may affect the debt service payment amounts or schedule, or makes a assignment of its registrar or paying agent agreement. Where appropriate, the district shall submit an amended debt service schedule to the Department to reflect such modifications. Any change in the debt service schedule shall be submitted to the Department at least 45 days prior to the date first payment on the amended schedule is due.

(7) Any moneys in the Water Management Lands Trust Fund allocable to the district in excess of the amounts set aside for payment of debt service on the bond issue, or for other accounts as provided in Rule 17-42.060(2)(c), F.A.C., may be utilized and withdrawn in accordance with Rule 17-42.030, F.A.C.

17-42.060(2)(a) -- 17-42.060(7)

(8) After the district has issued the bonds and the Department has undertaken payment of the debt service on such bonds, the district shall submit to the Department a separate formal resolution adopted by the governing board for each individual land acquisition that is made using proceeds from the bonds or interest earned on such proceeds. Such resolution shall conform to the requirements set forth for land acquisitions in Rule 17-42.030(3), F.A.C., and shall have a copy of all certified appraisals obtained by the district to determine the value of the land to be acquired attached. The district shall not disburse funds for the acquisition prior to the expiration of the 20 day review period set forth in Rule 17-42.030(5), F.A.C., and in the event the Secretary of the Department disapproves such purchase pursuant to Rule 17-42.030(5), F.A.C., the district shall not disburse funds for an acquisition unless and until the Secretary's decision is reversed on appeal by the Land and Water Adjudicatory Commission.

(9) The creation by the Department of any district accounts in the Water Management Lands Trust Fund for payment of debt service on bonds or for other purposes shall not require actual segregation of funds for those purposes so long as adequate accounting is made for funds reserved for each purpose.

Specific Authority: 373.016, 373.026, 373.043, 373.139, 373.589, 373.59, F.S.  
Law Implemented: 373.016, 373.139, 373.589, 373.59, F.S.

History: New 9-17-86.

17-42.060(8) -- 17-42.060(History)

**1991 Save Our Rivers  
Five Year Plan**

**Appendix C**

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**FLORIDA PRESERVATION 2000 ACT**



Senate Action

House Action

7

ADOPTED JUN 2 1990

If amendment is text of another bill insert:  
Bill No. Draft No.

Representatives Lawson, Arnold, Saunders, and Drage ...  
offered the following title amendment:

**Amendment**

On page 1, lines 1-31,  
and on page 2, lines 1-31,  
and on page 3, lines 1-31,  
and on page 4, lines 1-17,  
strike all of said lines  
and insert: An act relating to land and water resources;  
creating s. 259.101, F.S., the Florida Preservation 2000 Act;  
providing legislative findings; providing for proceeds of  
bonds issued pursuant to the act to be deposited in the  
Florida Preservation 2000 Trust Fund; providing conditions for  
the issuance of bonds in fiscal year 1990-1991; providing for  
the distribution of bond proceeds by the Department of Natural  
Resources for specified purposes; providing for title to  
certain lands to vest in the Board of Trustees of the Internal  
Improvement Trust Fund; providing for future repeal of  
distribution provisions; providing for legislative review  
prior to such repeal; providing criteria for certain projects  
financed by such proceeds; amending s. 201.15, F.S.; providing  
for transfer of an additional portion of the proceeds of  
excise taxes on documents to the Land Acquisition Trust Fund;  
amending s. 212.235, F.S.; providing for an annual transfer of  
funds from the State Infrastructure Fund to the Land

Submit original  
and 12 copies  
Op. Number: 483

Code: h1911/073-02d  
Date: 06/01/90  
Time: 10:00 p.m.

MEMBER AMENDMENT (in computer)

Bill No. CS/CS/HB's 1911,1039,1815,2141

1 Acquisition Trust Fund under certain conditions to pay debt  
2 service on bonds; creating s. 375.045, F.S.; creating the  
3 Florida Preservation 2000 Trust Fund; providing for deposit of  
4 funds therein and for the distribution thereof; providing for  
5 public use of lands purchased with Preservation 2000 funds;  
6 providing for control of nonnative invasive plant species on  
7 certain lands purchased with Preservation 2000 funds;  
8 providing duties of the Department of Natural Resources;  
9 amending s. 259.035, F.S.; directing the Land Acquisition  
10 Advisory Council to submit a report recommending a process for  
11 a state land acquisition needs assessment; creating s.  
12 253.0325, F.S.; directing the Department of Natural Resources  
13 to initiate a computerized program to modernize its state  
14 lands records and documents; amending s. 201.022, F.S., which  
15 requires the filing of a return stating the consideration paid  
16 as a condition precedent to the recording of a deed  
17 transferring interest in real property; providing that the  
18 Department of Natural Resources or its contract appraiser  
19 shall have access to such returns under certain conditions;  
20 amending s. 253.023, F.S., relating to the Conservation and  
21 Recreation Lands Trust Fund; revising the value of inholdings  
22 or additions to projects selected for purchase which are  
23 exempt from selection procedures; revising provisions relating  
24 to transfer of interests to appropriate conservation  
25 organizations; revising the percentage of fund moneys which  
26 must be available for land acquisition; amending s. 253.025,  
27 F.S., relating to acquisition of state lands; deleting certain  
28 requirements imposed on appraisers; revising conditions under  
29 which an offer may exceed an appraisal; revising the vote by  
30 which the Board of Trustees of the Internal Improvement Trust  
31 Fund may direct the acquisition of property by eminent domain

Submit original  
and 12 copies  
Op. Number: 483

Code: H1911/073-02d  
Date: 06/01/90  
Time: 10:00 p.m.

1 and requirements with respect thereto; authorizing the Board  
 2 of Trustees of the Internal Improvement Trust Fund to use  
 3 Preservation 2000 funds to purchase certain lands on an  
 4 immediate basis; authorizing the board of trustees to waive or  
 5 modify land acquisition and competitive bid procedures to  
 6 acquire such lands; creating s. 372.074, F.S.; creating the  
 7 Fish and Wildlife Habitat Trust Fund within the Game and Fresh  
 8 Water Fish Commission to acquire and manage lands important to  
 9 conservation of fish and wildlife; providing requirements with  
 10 respect thereto; repealing s. 2, ch. 89-279, Laws of Florida,  
 11 which provides for the future review and repeal of statutes  
 12 relating to governing boards and basin boards of water  
 13 management districts; repealing s. 25, ch. 88-242, Laws of  
 14 Florida, and amending s. 1(15)(a), ch. 82-46, Laws of Florida;  
 15 deleting provisions that provide for periodic review of such  
 16 boards pursuant to the Sundown Act; amending s. 373.59, F.S.,  
 17 relating to the Water Management Lands Trust Fund; requiring  
 18 water management districts to identify certain lands and plan  
 19 for their acquisition; providing for the release of funds for  
 20 preacquisition costs; amending s. 374.001, F.S.; requiring  
 21 that certain expenditures from the Cross Florida Barge Canal  
 22 Trust Fund be coordinated with the Conservation and Recreation  
 23 Lands and Save Our Rivers programs; requiring that the  
 24 management plan developed pursuant to s. 253.7829, F.S., also  
 25 be coordinated with such programs; amending s. 375.031, F.S.,  
 26 relating to the acquisition of land under the Outdoor  
 27 Recreation and Conservation Act of 1963; revising the value of  
 28 projects which are exempt from selection procedures; amending  
 29 s. 375.075, F.S.; revising provisions relating to the funding  
 30 of the Florida Recreation Development Assistance Program, to  
 31 correct a reference; qualifying the requirement that the

Submit original  
 and 12 copies  
 Op. Number: 483

Code: h1911/073-02d  
 Date: 06/01/90  
 Time: 10:00 p.m.

MEMBER AMENDMENT (in computer)

Bill No. CS/CS/HB's 1911,1039,1815,3141

1 Department of Natural Resources develop and plan a program for  
2 outdoor recreation; amending s. 380.504, F.S.; revising the  
3 date of the appointment of the public members of the governing  
4 body of the Florida Communities Trust and the effective date  
5 of such appointments; amending s. 380.505, F.S.; revising  
6 provisions relating to meetings of the governing body;  
7 amending s. 380.508, F.S.; providing for establishment of an  
8 advisory committee for the trust; amending s. 380.510, F.S.;  
9 correcting a reference; providing requirements for the use of  
10 Preservation 2000 funds by the Florida Communities Trust;  
11 amending s. 320.08065, F.S.; providing for a Florida Panther  
12 license plate; providing for distribution of license plate  
13 revenues; providing appropriations; amending s. 193.461, F.S.;  
14 providing conditions under which a lessee may apply for  
15 agricultural lands classification for ad valorem tax purposes;  
16 providing for a waiver of annual application for the  
17 classification of property as agricultural lands; providing an  
18 effective date.

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Submit original  
and 12 copies  
Op. Number: 48.

Code: h1911/073-02d  
Date: 06/01/90  
Time: 10:00 p.m.



Senate Action

House Action

(5) N/A JUN 2 1990

If amendment is text of another bill insert:  
Bill No. Draft No.

Representative Lawson . . . . .

offered the following amendment:

Amendment

On page 8, between lines 29 and 30,

insert: (5) Any funds received by the Division of Forestry from the Preservation 2000 Trust Fund pursuant to paragraph (e) of subsection (3) shall be used only to pay the cost of the acquisition of lands in furtherance of outdoor recreation and natural resources conservation in this state. The administration and use of any funds received by the Division of Forestry from the Preservation 2000 Trust Fund will be subject to such terms and conditions imposed thereon by the agency of the state responsible for the issuance of the revenue bonds, the proceeds of which are deposited in the Preservation 2000 Trust Fund, including restrictions imposed to insure that the interest on any such revenue bonds issued by the state as tax-exempt revenue bonds will not be included in the gross income of the holders of such bonds for federal income tax purposes. All deeds or leases with respect to any real property acquired with funds received by the Division of Forestry from the Preservation 2000 Trust Fund shall contain such covenants and restrictions as are sufficient to insure that the use of such real property at all times complies with s. 375.051 and Section 9 of Article XII of the 1968 Constitution of Florida; and shall contain reverter clauses

Submit original  
and 12 copies  
Op. Number: 484

Code: h1911/009-26a  
Date: 05/24/90  
Time: 8:14 a.m.

MEMBER AMENDMENT (in computer)

Bill No. CS/CS/HB's 1911,1039,1815,3141

1 providing for the reversion of title to such property to the  
2 Board of Trustees of the Internal Improvement Trust Fund or,  
3 in the case of a lease of such property, providing for  
4 termination of the lease upon a failure to use the property  
5 conveyed thereby for such purposes.  
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Submit original  
and 12 copies  
Op. Number: 484

Code: h1911/009-26a  
Date: 05/24/90  
Time: 8:14 a.m.

Senate Action

House Action

6

ADOPTED JUN 2 1990

If amendment is text of another bill insert:  
Bill No. Draft No.

Representatives Lawson, Arnold, Saunders, and Drage ...  
offered the following amendment:

Amendment

On page 4, line 21,  
strike everything after the enacting clause

and insert:

Section 1. Section 259.101, Florida Statutes, is  
created to read:

259.101 Florida Preservation 2000 Act.--

(1) SHORT TITLE.--This section may be cited as the  
"Florida Preservation 2000 Act."

(2) LEGISLATIVE FINDINGS.--The Legislature finds and  
declares that:

(a) The alteration and development of Florida's  
natural areas to accommodate its rapidly growing population  
have contributed to the degradation of water resources, the  
fragmentation and destruction of wildlife habitats, the loss  
of recreation space, and the diminishment of wetlands and  
forests.

(b) Imminent development of Florida's remaining  
natural areas and continuing increases in land values  
necessitate an aggressive program of public land acquisition  
during the next decade to preserve the quality of life that  
attracts so many people to Florida.

Submit original  
and 12 copies  
Op. Number: 483

Code: h1911/073-04d  
Date: 06/02/90  
Time: 12:31 a.m.

1        (c) Acquisition of public lands should be based on a  
2 comprehensive assessment of Florida's natural resources and  
3 planned so as to protect the integrity of ecological systems  
4 and to provide multiple benefits, including preservation of  
5 fish and wildlife habitat, recreation space, and water  
6 recharge areas. Governmental agencies responsible for public  
7 land acquisition should work together to purchase lands  
8 jointly and to coordinate individual purchases within  
9 ecological systems.

10        (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.--Less the  
11 costs of issuance, the costs of funding reserve accounts, and  
12 other costs with respect to the bonds, the proceeds of bonds  
13 issued pursuant to this act shall be deposited into the  
14 Florida Preservation 2000 Trust Fund created by s. 375.045.  
15 No bonds shall be issued in fiscal year 1990-1991 pursuant to  
16 this act unless there is specific authorization for the  
17 issuance of such bonds in the act implementing the 1990-1991  
18 General Appropriations Act. The proceeds of any bonds  
19 deposited into the Preservation 2000 Trust Fund shall be  
20 distributed by the Department of Natural Resources in the  
21 following manner:

22        (a) Fifty percent to the Department of Natural  
23 Resources for the purchase of public lands as described in s.  
24 253.023. Of this 50 percent, at least one-fifth shall be used  
25 for the acquisition of coastal lands.

26        (b) Thirty percent to the Department of Environmental  
27 Regulation for the purchase of water management lands pursuant  
28 to s. 373.59, to be distributed among the water management  
29 districts as provided in that section.

30        (c) Ten percent to the Department of Community Affairs  
31 to provide land acquisition grants and loans to local

1 governments through the Florida Communities Trust pursuant to  
 2 part III of chapter 380. Of this 10 percent, one-half shall  
 3 be matched by local governments on a dollar-for-dollar basis.

4 (d) Two and nine-tenths percent to the Department of  
 5 Natural Resources for the purchase of inholdings and additions  
 6 to state parks. For the purposes of this paragraph, "state  
 7 park" means all real property in the state under the  
 8 jurisdiction of the Division of Recreation and Parks of the  
 9 Department of Natural Resources, or which may come under its  
 10 jurisdiction.

11 (e) Two and nine-tenths percent to the Division of  
 12 Forestry of the Department of Agriculture and Consumer  
 13 Services to fund the acquisition of state forest inholdings  
 14 and additions pursuant to s. 589.07.

15 (f) Two and nine-tenths percent to the Game and Fresh  
 16 Water Fish Commission to fund the acquisition of inholdings  
 17 and additions to lands managed by the commission which are  
 18 important to the conservation of fish and wildlife.

19 (g) One and three-tenths percent to the Department of  
 20 Natural Resources for the Florida Rails to Trails Program, to  
 21 acquire abandoned railroad rights-of-way for use as public  
 22 recreational trails.

23  
 24 Local governments may use federal grants or loans, private  
 25 donations, or environmental mitigation funds, including  
 26 environmental mitigation funds required pursuant to s.  
 27 338.250, for any part or all of any local match required for  
 28 the purposes described in this subsection. Bond proceeds  
 29 allocated pursuant to paragraph (c) may be used to purchase  
 30 lands on the priority lists developed pursuant to s. 259.035.  
 31 Title to lands purchased pursuant to paragraphs (a), (c), (d),

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1 (e), (f), and (g) shall be vested in the Board of Trustees of  
2 the Internal Improvement Trust Fund. Paragraphs (a) and (b)  
3 are repealed effective October 1, 2000, and paragraphs (c),  
4 (d), (e), (f), and (g) are repealed effective October 1, 1992.  
5 Prior to each repeal, the Legislature shall review the  
6 provisions scheduled for repeal and shall determine whether to  
7 reenact or modify the provisions or to take no action.

8 (4) PROJECT CRITERIA.--

9 (a) Proceeds of bonds issued pursuant to this act and  
10 distributed pursuant to paragraphs (3)(a) and (b) shall be  
11 spent only on projects which meet at least one of the  
12 following criteria, as determined pursuant to paragraphs (b)  
13 and (c):

14 1. A significant portion of the land in the project is  
15 in imminent danger of development;

16 2. A significant portion of the land in the project is  
17 in imminent danger of subdivision which will result in  
18 multiple ownership and may make acquisition of the project  
19 more costly or less likely to be accomplished;

20 3. The value of a significant portion of the land in  
21 the project is likely to appreciate at a rate that makes  
22 purchasing the land immediately with bond proceeds more cost-  
23 effective than delaying its purchase until acquisition funds  
24 which are not bonded are available for the project;

25 4. A significant portion of the land in the project  
26 serves to protect or recharge groundwater and to protect other  
27 valuable natural resources or provide space for natural  
28 resource-based recreation;

29 5. The project can be purchased at 80 percent of  
30 appraised value or less; or  
31

1       6. A significant portion of the land in the project  
 2       serves as habitat for endangered or threatened species or  
 3       serves to protect endangered natural communities.

4       (b) Each year that bonds are to be issued pursuant to  
 5       this act, the Land Acquisition Advisory Council shall review  
 6       that year's approved Conservation and Recreation Lands  
 7       priority list and shall, by the first board meeting in  
 8       February, present to the Board of Trustees of the Internal  
 9       Improvement Trust Fund for approval a listing of projects on  
 10       the list which meet one or more of the criteria listed in  
 11       paragraph (a). The board may remove projects from the list  
 12       developed pursuant to this paragraph, but may not add  
 13       projects.

14       (c) Each year that bonds are to be issued pursuant to  
 15       this act, each water management district governing board shall  
 16       review the lands on its current year's Save Our Rivers 5-year  
 17       plan and shall, by January 15, adopt a listing of projects  
 18       from the plan which meet one or more of the criteria listed in  
 19       paragraph (a).

20  
 21       When a nonprofit environmental organization which is tax  
 22       exempt pursuant to s. 501(c)(3) of the United States Internal  
 23       Revenue Code sells land to the state, such land at the time of  
 24       such sale shall be deemed to meet one or more of the criteria  
 25       listed in paragraph (a) if such land meets one or more of the  
 26       criteria at the time the organization purchases it. Listings  
 27       of projects compiled pursuant to paragraphs (b) and (c) may be  
 28       revised to include projects on the Conservation and Recreation  
 29       Lands priority list or in a water management district's 5-year  
 30       plan which come under the criteria in paragraph (a) after the  
 31       dates specified in paragraph (b) or paragraph (c). The

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1 requirement of paragraph (a) of subsection (3) regarding  
2 coastal lands is met as long as an average of one-fifth of the  
3 cumulative proceeds allocated through fiscal year 1999-2000  
4 pursuant to that paragraph is used to purchase coastal lands.

5 (5) Any funds received by the Division of Forestry  
6 from the Preservation 2000 Trust Fund pursuant to paragraph  
7 (e) of subsection (3) shall be used only to pay the cost of  
8 the acquisition of lands in furtherance of outdoor recreation  
9 and natural resources conservation in this state. The  
10 administration and use of any funds received by the Division  
11 of Forestry from the Preservation 2000 Trust Fund will be  
12 subject to such terms and conditions imposed thereon by the  
13 agency of the state responsible for the issuance of the  
14 revenue bonds, the proceeds of which are deposited in the  
15 Preservation 2000 Trust Fund, including restrictions imposed  
16 to insure that the interest on any such revenue bonds issued  
17 by the state as tax-exempt revenue bonds will not be included  
18 in the gross income of the holders of such bonds for federal  
19 income tax purposes. All deeds or leases with respect to any  
20 real property acquired with funds received by the Division of  
21 Forestry from the Preservation 2000 Trust Fund shall contain  
22 such covenants and restrictions as are sufficient to insure  
23 that the use of such real property at all times complies with  
24 s. 375.051 and Section 9 of Article XII of the 1968  
25 Constitution of Florida; and shall contain reverter clauses  
26 providing for the reversion of title to such property to the  
27 Board of Trustees of the Internal Improvement Trust Fund or,  
28 in the case of a lease of such property, providing for  
29 termination of the lease upon a failure to use the property  
30 conveyed thereby for such purposes.

31

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1           Section 2. Effective July 1, 1990, subsection (2) of  
2 section 212.235, Florida Statutes, is amended and subsection  
3 (5) of that section is added to read:

4           (2) Subject to an appropriation each year by the  
5 Legislature except as provided in subsection (5), moneys in  
6 the fund shall only be used for the purposes of:

7           (a) Acquiring the right-of-way for and constructing  
8 state highways and bridges;

9           (b) Constructing public education capital facilities;

10          (c) Financing state projects for beach restoration or  
11 renourishment or lake, river, or other water body restoration,  
12 including the restoration of bays and estuaries;

13          (d) Constructing state correctional facilities;

14          (e) Matching grants to local government to assist in  
15 meeting the requirements as set forth in s. 163.3177;

16          (f) Constructing other infrastructure projects;

17          (g) Issuing revenue bonds to finance state capital  
18 outlay projects authorized by this section. Such bonds shall  
19 be payable solely from legislative appropriations from the  
20 State Infrastructure Fund and shall not be a debt of the  
21 state, and the state shall not be liable thereon. Neither the  
22 taxing power, the credit, nor the revenues of the state shall  
23 be pledged to pay any obligation issued pursuant to this  
24 subsection; or

25          (h) Financing the construction, rehabilitation,  
26 purchase, maintenance, and acquisition of land for affordable  
27 housing.

28          (i) Paying the debt service on, or funding debt  
29 service reserve funds, rebate obligations, or other amounts  
30 with respect to bonds issued pursuant to ss. 375.051 and  
31 259.101, and payable from moneys transferred to the Land

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1 Acquisition Trust Fund pursuant to subsection (5), not to  
2 exceed \$30 million annually. However, no bonds shall be  
3 issued in fiscal year 1990-1991 pursuant to ss. 375.051 and  
4 259.101 and no debt service shall be funded pursuant to this  
5 paragraph and subsection (5) unless there is specific  
6 authorization for the issuance of such bonds in the act  
7 implementing the 1990-1991 General Appropriations Act.

8 (5) There is hereby annually transferred from the  
9 State Infrastructure Fund to the Land Acquisition Trust Fund  
10 the sum of \$30 million, which is hereby appropriated for the  
11 purposes set out in paragraph (i) of subsection (1),  
12 contingent upon the conditions set out in that paragraph. No  
13 monies transferred to the Land Acquisition Trust Fund pursuant  
14 to this subsection, or earnings thereon, shall be used or made  
15 available to pay debt service on the Department of Natural  
16 Resources Save Our Coast revenue bonds.

17 Section 3. Subsection (1) of section 201.15, Florida  
18 Statutes, is amended to read:

19 201.15 Distribution of taxes collected.--All taxes  
20 collected under the provisions of this chapter shall be  
21 distributed as follows:

22 (1) Sixty and eight-tenths percent of the total taxes  
23 collected under the provisions of this chapter shall be used  
24 for the following purposes:

25 (a) Subject to the maximum amount limitations set  
26 forth in this paragraph, an amount as shall be necessary to  
27 pay the debt service on, or fund debt service reserve funds,  
28 rebate obligations, or other amounts with respect to bonds  
29 issued pursuant to s. 375.051 and payable from moneys  
30 transferred to the Land Acquisition Trust Fund pursuant to  
31 this paragraph shall be paid into the State Treasury to the

1 credit of the Land Acquisition Trust Fund to be used for such  
 2 purposes. The amount transferred to the Land Acquisition  
 3 Trust Fund shall not exceed \$30 million in fiscal year 1991-  
 4 1992, \$60 million in fiscal year 1992-1993, \$90 million in  
 5 fiscal year 1993-1994, \$120 million in fiscal year 1994-1995,  
 6 \$150 million in fiscal year 1995-1996, \$180 million in fiscal  
 7 year 1996-1997, \$210 million in fiscal year 1997-1998, \$240  
 8 million in fiscal year 1998-1999, and \$270 million in fiscal  
 9 year 1999-2000 and thereafter. No individual series of bonds  
 10 may be issued pursuant to this paragraph unless the first  
 11 year's debt service for such bonds is specifically  
 12 appropriated in the General Appropriations Act. No moneys  
 13 transferred to the Land Acquisition Trust Fund pursuant to  
 14 this paragraph, or earnings thereon, shall be used or made  
 15 available to pay debt service on the Department of Natural  
 16 Resources Save Our Coast revenue bonds.

17 (b) The remainder of the moneys distributed pursuant  
 18 to this subsection, after the required payment under paragraph  
 19 (a), shall be paid into the State Treasury to the credit of  
 20 the General Revenue Fund of the state to be used and expended  
 21 for the purposes for which the General Revenue Fund was  
 22 created and exists by law.

23 Section 4. Section 375.045, Florida Statutes, is  
 24 created to read:

25 375.045 Florida Preservation 2000 Trust Fund.--

26 (1) There is created the Florida Preservation 2000  
 27 Trust Fund to carry out the purposes of ss. 253.023, 259.101,  
 28 and 375.031. The Florida Preservation 2000 Trust Fund shall  
 29 be held and administered by the Department of Natural  
 30 Resources. Proceeds from the sale of revenue bonds issued  
 31 pursuant to s. 375.051 and payable from moneys transferred to

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1 the Land Acquisition Trust Fund pursuant to s. 201.15(1)(a),  
2 not to exceed \$3 billion, shall be deposited into this trust  
3 fund to be distributed as provided in s. 259.101(3). The bond  
4 resolution adopted by the governing board of the Division of  
5 Bond Finance may provide for additional provisions that govern  
6 the disbursement of the bond proceeds.

7 (2) The Department of Natural Resources shall  
8 distribute revenues from the Florida Preservation 2000 Trust  
9 Fund only to programs of state agencies or local governments  
10 as set out in s. 259.101(3). Such distributions shall be  
11 spent by the recipient within 90 days after the date on which  
12 the Department of Natural Resources initiates the transfer.

13 (3) Any agency or district which acquires lands using  
14 Preservation 2000 funds, as distributed pursuant to this  
15 section and s. 259.101(3), shall manage the lands to make them  
16 available for public recreational use, provided that the  
17 recreational use does not interfere with the protection of  
18 natural resource values. Any such agency or district may  
19 enter into agreements with the Department of Natural Resources  
20 or other appropriate state agencies to transfer management  
21 authority to or to lease to such agencies lands purchased with  
22 Preservation 2000 funds, for the purpose of managing the lands  
23 to make them available for public recreational use. The water  
24 management districts and the Department of Natural Resources  
25 shall take action to control the growth of nonnative invasive  
26 plant species on lands they manage which are purchased with  
27 Preservation 2000 funds.

28 (4) The Department of Natural Resources shall ensure  
29 that the proceeds from the sale of revenue bonds issued  
30 pursuant to s. 375.051 and payable from moneys transferred to  
31 the Land Acquisition Trust Fund pursuant to s. 201.15(1)(a)

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1 shall be administered and expended in a manner that ensures  
 2 compliance of each issue of revenue bonds that are issued on  
 3 the basis that interest thereon will be excluded from gross  
 4 income for federal income tax purposes, with the applicable  
 5 provisions of the United States Internal Revenue Code and the  
 6 regulations promulgated thereunder, to the extent necessary to  
 7 preserve the exclusion of interest on such revenue bonds from  
 8 gross income for federal income tax purposes. The Department  
 9 of Natural Resources shall have the authority to administer  
 10 the use and disbursement of the proceeds of such revenue bonds  
 11 or require that the use and disbursement thereof be  
 12 administered in such a manner as shall be necessary to  
 13 implement strategies to maximize any available benefits under  
 14 the applicable provisions of the United States Internal  
 15 Revenue Code or regulations promulgated thereunder, to the  
 16 extent not inconsistent with the purposes identified in s.  
 17 259.101(3).

18  
 19 Upon a determination by the Department of Natural Resources  
 20 that proceeds being held in the trust fund to support  
 21 distributions outside the Department of Natural Resources are  
 22 not likely to be disbursed in accordance with the foregoing  
 23 considerations, the Department of Natural Resources shall  
 24 petition the Governor and Cabinet to allow for the immediate  
 25 disbursement of such funds for the acquisition of projects  
 26 approved for purchase pursuant to the provisions of chapter  
 27 259.

28       Section 5. Subsection (3) of section 259.035, Florida  
 29 Statutes, is renumbered as subsection (4), and a new  
 30 subsection (3) is added to said section to read:

31       259.035 Advisory council; powers and duties.--

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1       (3) By July 1, 1991, the council shall submit to the  
2 Governor, the President of the Senate, the Speaker of the  
3 House of Representatives, and the minority leaders of the  
4 Senate and House of Representatives a report, containing  
5 proposed legislation, recommending a process by which the  
6 state can accurately assess which lands need to be acquired to  
7 protect endangered or threatened species, endangered natural  
8 communities, and ecological systems and implement the goals of  
9 ss. 253.023, 259.101, and 375.031. In addition to the  
10 agencies represented on the council, the council shall consult  
11 the Department of Transportation and the five water management  
12 districts in developing its recommendations. In accomplishing  
13 this task, the council shall:

14       (a) Consider the feasibility and effectiveness of  
15 integrating existing inventory and information systems and  
16 documents to produce a comprehensive, computer-digitized  
17 inventory of natural resources throughout the state and an  
18 analysis of the degree to which those resources are  
19 endangered. Such resources shall include, but not be limited  
20 to, environmentally sensitive areas; important wildlife and  
21 plant habitats, including endangered and threatened species  
22 habitats; water recharge areas; floodplains; historical and  
23 recreational lands in urban areas; and agricultural and  
24 silvicultural lands.

25       (b) Recommend the roles, if any, of the Division of  
26 Bond Finance of the Department of General Services, the  
27 Auditor General, and the Revenue Estimating Conference in  
28 evaluating the costs and benefits of bonding to acquire public  
29 lands, in recommending specific guidelines for determining  
30 when bonding is justified, and in evaluating whether the  
31 criteria listed in s. 259.101(4)(a) should be used for the

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1 expenditure of proceeds from future bond issuances which may  
2 be authorized pursuant to this act.

3 (c) Recommend revisions to the Florida Statewide Land  
4 Acquisition Plan to include the water management district Save  
5 Our Rivers program and other state and local land acquisition  
6 programs, and to serve as a true statewide plan to acquire  
7 lands to protect ecological systems.

8 (d) Identify the entities which should develop natural  
9 resource assessment data, screen the data, and develop a  
10 priority list of ecosystems, habitats for endangered or  
11 threatened species, and lands containing endangered natural  
12 communities, on which the state should focus its acquisition  
13 programs.

14 (e) Recommend a proactive nomination process for  
15 potential land acquisitions whereby state agencies identify  
16 the most important and most endangered parcels for  
17 acquisition.

18 (f) Provide for assessing the importance of acquiring  
19 lands which can serve to protect or recharge groundwater and  
20 the degree to which state land acquisition programs should  
21 focus on purchasing such lands.

22 (g) Recommend a method for determining land management  
23 needs and costs.

24 Section 6. Section 253.0325, Florida Statutes, is  
25 created to read:

26 253.0325 Modernization of state lands records.--

27 (1) The Department of Natural Resources shall initiate  
28 an ongoing computerized information systems program to  
29 modernize its state lands records and documents that relate to  
30 lands to which title is vested in the Board of Trustees of the  
31

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1 Internal Improvement Trust Fund. The program shall include,  
2 at a minimum:

3 (a) A document management component to automate the  
4 storage and retrieval of information contained in state lands  
5 records.

6 (b) A land records management component to organize  
7 the records by key elements present in the data.

8 (c) An evaluation component which includes the  
9 collection of resource and environmental data.

10 (d) A mapping component to generate and store maps of  
11 state-owned parcels using data from the land records  
12 management and evaluation components.

13 (2) At all stages of its records modernization  
14 program, the department shall seek to ensure information  
15 systems compatibility within the department and with other  
16 state, local, and regional governmental agencies. The  
17 department also shall seek to promote standardization in the  
18 collection of information regarding state-owned lands by  
19 federal, state, regional, and local agencies.

20 (3) The information collected and stored as a result  
21 of the department's modernization of state lands records shall  
22 not be considered a final or complete accounting of lands  
23 which the state owns or to which the state may claim  
24 ownership.

25 Section 7. Subsection (1) of section 201.022, Florida  
26 Statutes, is amended to read:

27 201.022 Consideration for realty; filing of return  
28 condition precedent to recordation; failure to file does not  
29 impair validity.--

30 (1) As a condition precedent to the recordation of any  
31 deed transferring an interest in real property, the grantor or



1 the grantee or agent for grantee shall execute and file a  
 2 return with the clerk of the circuit court. The return shall  
 3 state the actual consideration paid for the interest in real  
 4 property. Notwithstanding s. 119.14, the return shall not be  
 5 recorded or otherwise become a public record and shall be  
 6 confidential as provided by s. 193.074, and shall be exempt  
 7 from the requirements of s. 119.07(1), except that the  
 8 Department of Natural Resources or, through the Department of  
 9 Natural Resources, its contract appraiser, shall have access  
 10 to the return to verify the consideration paid in any transfer  
 11 of an interest in real property, when such transfer is  
 12 considered as part of an appraisal for a proposed land  
 13 acquisition project conducted pursuant to any Department of  
 14 Natural Resources land acquisition program. The Department of  
 15 Natural Resources or its contract appraiser shall not disclose  
 16 the contents of the return to any other public or private  
 17 entity. The original return shall be forwarded to the  
 18 Department of Revenue, and a copy shall be forwarded to the  
 19 property appraiser. This exemption is subject to the Open  
 20 Government Sunset Review Act in accordance with s. 119.14(1).

21 Section 8. Subsections (8), (9), and (10) of section  
 22 253.023, Florida Statutes, are amended to read:

23 253.023 Conservation and Recreation Lands Trust Fund;  
 24 purpose.--

25 (8) Lands to be considered for purchase under this  
 26 section are subject to the selection procedures of s. 259.035  
 27 and shall be acquired in accordance with acquisition  
 28 procedures for state lands provided for in s. 253.025, except  
 29 as otherwise provided by the Legislature. An inholding or an  
 30 addition to a project selected for purchase pursuant to this  
 31 chapter or s. 259.035 is not subject to the selection

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1 procedures of s. 259.035 if the estimated value of such  
2 inholding or addition does not exceed \$500,000 ~~\$250,000~~. When  
3 at least 90 percent of the acreage of a project has been  
4 purchased pursuant to this chapter or s. 259.035, the project  
5 may be removed from the list and the remaining acreage may  
6 continue to be purchased. Moneys from the fund may be used  
7 for title work, appraisal fees, and survey costs related to  
8 acquisition expenses for lands to be acquired, donated, or  
9 exchanged which qualify under the categories of this section,  
10 at the discretion of the board. When the Legislature has  
11 authorized the Department of Natural Resources to condemn a  
12 specific parcel of land and such parcel has already been  
13 approved for acquisition under this section, the land may be  
14 acquired in accordance with the provisions of chapter 73 or  
15 chapter 74, and the fund may be used to pay the condemnation  
16 award and all costs, including a reasonable attorney's fee,  
17 associated with condemnation.

18 (9) Agencies designated to manage lands under this  
19 section shall develop and adopt, with the approval of the  
20 board of trustees, individual management plans for each  
21 project designed to conserve and protect such lands and their  
22 associated natural resources. Such plans may include  
23 transfers of leasehold or fee-simple interests to appropriate  
24 conservation organizations designated by the Land Management  
25 Advisory Committee for uses consistent with the purposes of  
26 the organizations and the protection, preservation, and proper  
27 management of the lands and their resources.

28 (10) Beginning in fiscal year 1987-1988, 10 percent of  
29 the moneys credited to the fund each year shall be reserved by  
30 the board of trustees for the purposes of management,  
31 maintenance, and capital improvements. Capital improvements

1 shall include, but need not be limited to, perimeter fencing,  
2 signs, firelanes, access roads and trails, and minimal public  
3 accommodations, such as primitive campsites, garbage  
4 receptacles, and toilets. Not less than 85 Ninety percent of  
5 the moneys credited to the fund each year shall be available  
6 for the acquisition of land pursuant to this section.

7 Section 9. Paragraph (d) of subsection (7), paragraph  
8 (e) of subsection (8), and subsection (12) of section 253.025,  
9 Florida Statutes, are amended and subsection (15) is added to  
10 that section to read:

11 253.025 Acquisition of state lands.--

12 (7) Prior to approval by the board of trustees of any  
13 agreement to purchase land pursuant to s. 253.023, chapter  
14 259, or chapter 375, and prior to negotiations with the parcel  
15 owner to purchase any other land, title to which will vest in  
16 the board of trustees, an appraisal of the parcel shall be  
17 required as follows:

18 (d) Appraisal reports are confidential and exempt from  
19 the provisions of s. 119.07(1), for use by the agency and the  
20 board of trustees, until an option contract is executed or, if  
21 no option contract is executed, until 2 weeks before a  
22 contract or agreement for purchase is considered for approval  
23 by the board of trustees. However, the Division of State  
24 Lands may disclose appraisal information to local governments  
25 or nonprofit organizations that agree to maintain the  
26 confidentiality of the reports or information when joint  
27 acquisition of property is contemplated, or when a local  
28 government or nonprofit organization enters into an informal  
29 agreement with the division to purchase and hold property for  
30 subsequent resale to the division. In addition, the division  
31 may use, as its own, appraisals obtained by a local government

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1 or nonprofit organization, provided the appraiser is selected  
2 from the division's list of appraisers and the appraisal is  
3 reviewed and approved by the division. For the purposes of  
4 this paragraph, "nonprofit organization" means an organization  
5 whose purpose is the preservation of wildlife or land, and  
6 which is exempt from federal income tax under s. 501(c)(3) of  
7 the Internal Revenue Code. The agency may release an  
8 appraisal report when the passage of time has rendered the  
9 conclusions of value in the report invalid. This exemption is  
10 subject to the Open Government Sunset Review Act in accordance  
11 with s. 119.14. ~~Appraisers-retained-or-used-by-the-department~~  
12 ~~to-determine-the-value-of-property-for-state-acquisition-shall~~  
13 ~~be-instructed-to-consider-the-number-of-dwelling-units~~  
14 ~~approved-for-development-in-a-development-order-pursuant-to-s-~~  
15 ~~389-06-that-has-been-affirmed-by-a-decision-of-the-Florida~~  
16 ~~Supreme-Court-or-any-appropriate-federal-court,-regardless-of~~  
17 ~~the-location-of-the-jurisdictional-line-of-any-state-or~~  
18 ~~regional-agency.~~

19 (8)

20 (e)1. The board of trustees shall adopt by rule the  
21 method for determining the value of parcels sought to be  
22 acquired by state agencies pursuant to this section. No offer  
23 by a state agency may exceed the value for that parcel as  
24 determined pursuant to the highest approved appraisal obtained  
25 or the value determined pursuant to the rules of the board of  
26 trustees, whichever value is less, except under the following  
27 circumstances:

28 a. The state agency has unsuccessfully attempted to  
29 negotiate a parcel, pursuant to the price restrictions in this  
30 subparagraph paragraph, for a period of 2 years after the date  
31 of the state agency's first written offer on all or a

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1 substantial part of the parcel, during which there have been  
2 at least two bona fide offers at a purchase price at or within  
3 10 percent below the limits prescribed by this subparagraph  
4 paragraph; and

5 b. The parcel is within the top five projects on the  
6 priority list and either includes substantial upland habitat  
7 of endangered or threatened species or is located within an  
8 area of critical state concern designated pursuant to chapter  
9 380; and-

10 c. The board of trustees determines that the parcel  
11 meets the requirements for acquisition by eminent domain, as  
12 provided in subsection (12), and that the cost of acquisition  
13 by eminent domain, including jury determination of  
14 compensation and other costs and fees provided for in chapter  
15 73, is likely to exceed 125 percent of the value of the parcel  
16 as determined pursuant to this subparagraph.

17  
18 In this case, the total purchase price may not exceed 125  
19 percent of the limits otherwise prescribed by this  
20 subparagraph paragraph. The decision to acquire a parcel  
21 pursuant to sub-subparagraphs a.-c. subparagraphs-a-and-b-  
22 must be made by a vote of at least five members of the board  
23 of trustees.

24 2. In the case of a joint acquisition by a state  
25 agency and a local government or other entity apart from the  
26 state, the joint purchase price may not exceed 150 percent of  
27 the value for a parcel as determined in accordance with the  
28 limits prescribed in subparagraph 1. by-a-single-appraisals-  
29 the-average-of-two-appraisals-if-two-are-obtained,-or-the  
30 average-of-the-two-closest-appraisals-if-more-than-two-are  
31 obtained- The state agency share of a joint purchase offer

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1 may not exceed what the agency may offer singly as prescribed  
2 by subparagraph 1. this-paragraph

3 3. The provisions of this paragraph do not apply to  
4 the acquisition of historically unique or significant property  
5 as determined by the Division of Historical Resources of the  
6 Department of State.

7 (12) The board of trustees, by majority unanimous vote  
8 of all of its members, voting at a regularly scheduled and  
9 advertised meeting, may direct the department to exercise the  
10 power of eminent domain pursuant to the provisions of chapters  
11 73 and 74 to acquire any of the properties on the acquisition  
12 list established by the land acquisition selection committee  
13 and approved by the board of trustees. However, the board of  
14 trustees may only make such a vote under the following  
15 circumstances:

16 (a) The state has made at least two bona fide offers  
17 to purchase the land through negotiation and, notwithstanding  
18 those offers, an impasse between the state and land owner was  
19 reached; and

20 (b) The land is of special importance to the state  
21 because of one or more of the following reasons:

22 1. It involves an endangered or natural resource and  
23 is in imminent danger of development;

24 2. It is of unique value to the state and the failure  
25 to acquire it will result in irreparable loss to the state; or

26 3. The failure of the state to acquire it will  
27 seriously impair the state's ability to manage or protect  
28 other state-owned lands.

29

30 Pursuant to this subsection, the department may exercise  
31 condemnation authority directly or by contracting with the

1 Department of Transportation or a water management district to  
2 provide that service. If the Department of Transportation or  
3 a water management district enters such a contract with the  
4 department, the Department of Transportation or a water  
5 management district may use statutorily approved methods and  
6 procedures ordinarily used by the agency for condemnation  
7 purposes.

8 (15) The board of trustees, by an affirmative vote of  
9 five members, may direct the department to purchase lands on  
10 an immediate basis using up to 15 percent of the funds  
11 allocated to the department pursuant to s. 259.101(3)(a) for  
12 the acquisition of lands that:

13 (a) are listed or placed at auction by the federal  
14 government as part of the Resolution Trust Corporation sale of  
15 lands from failed savings and loan associations, or

16 (b) will be developed or otherwise lost to potential  
17 public ownership, or for which federal matching funds will be  
18 lost, by the time the land can be purchased under the program  
19 within which the land is listed for acquisition.

20  
21 For such acquisitions, the board of trustees may waive or  
22 modify all procedures required for land acquisition pursuant  
23 to this chapter and all competitive bid procedures required  
24 pursuant to chapters 255 and 287. Lands acquired pursuant to  
25 this subsection must, at the time of purchase, be on one of  
26 the acquisition lists established pursuant to chapter 259, or  
27 a significant portion of the lands must contain natural  
28 communities or plant or animal species which are listed by the  
29 Florida Natural Areas Inventory as critically imperiled,  
30 imperiled, or rare, or as excellent quality occurrences of  
31 natural communities.

1 Section 10. Section 372.074, Florida Statutes, is  
2 created to read:

3 372.074 Fish and Wildlife Habitat Trust Fund.--

4 (1)(a) There is established within the Game and Fresh  
5 Water Fish Commission the Fish and Wildlife Habitat Trust Fund  
6 for the purpose of acquiring and managing lands important to  
7 the conservation of fish and wildlife.

8 (b) Title to all lands acquired pursuant to this  
9 section shall be vested in the Board of Trustees of the  
10 Internal Improvement Trust Fund. The Game and Fresh Water  
11 Fish Commission or its designee shall manage such lands for  
12 the primary purpose of maintaining and enhancing their habitat  
13 value for fish and wildlife. Other uses may be allowed that  
14 are not contrary to this purpose.

15 (c) Land acquisition pursuant to this section shall be  
16 voluntary, negotiated acquisition and is subject to the  
17 acquisition procedures of s. 253.025.

18 (d) Acquisition costs payable from the fund shall  
19 include purchase prices and costs and fees associated with  
20 title work, surveys, and appraisals required to complete an  
21 acquisition.

22 (2) Moneys which may be deposited into the trust fund  
23 may include, but not be limited to, donations, grants,  
24 development of regional impact wildlife mitigation  
25 contributions, or legislative appropriations.

26 Section 11. Section 2 of chapter 89-279, Laws of  
27 Florida, is hereby repealed.

28 Section 12. Section 25 of chapter 88-242, Laws of  
29 Florida, is repealed; and paragraph (a) of subsection (15) of  
30 section 1 of chapter 82-46, Laws of Florida, is amended to  
31 read:

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(15) The following provisions of the Florida Statutes are repealed on October 1, 1988, and shall be reviewed by the Legislature pursuant to this section:

(a) Department of Environmental Regulation.--

~~1- Section 20.261(3), relating to the Environmental Regulation Commission.~~

~~2---Sections-373-0693-and-373-0695-relating-to-basin boards-of-water-management-districts-~~

~~3---Sections-373-073-373-1037-relating-to-the-governing boards-of-the-water-management-districts-~~

Section 13. Paragraph (a) of subsection (2) and subsection (3) of section 373.59, Florida Statutes, are amended to read:

373.59 Water Management Lands Trust Fund.--

(2)(a) Subsequent to public hearings, similar to those held pursuant to s. 120.54, each district shall file a 5-year plan for acquisition with the Legislature and the Secretary of Environmental Regulation by January 15, 1982. Annually thereafter, each district shall file with the Legislature and the secretary a report of acquisition activity together with modifications or additions to its 5-year plan of acquisition. The report shall also include a description of land management activity. Expenditure of moneys from the Water Management Lands Trust Fund shall be limited to the costs for acquisition, management, maintenance, and capital improvements of lands included within the plan as filed by each district; however, no such acquisition of lands shall occur without a public hearing similar to those held pursuant to the provisions set forth in s. 120.54. In the annual update of its 5-year plan for acquisition, each district shall identify lands needed to protect or recharge groundwater and shall

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1 establish a plan for their acquisition as necessary to protect  
2 potable water supplies. Lands which serve to protect or  
3 recharge groundwater identified pursuant to this paragraph  
4 shall also serve to protect other valuable natural resources  
5 or provide space for natural resource-based recreation.

6 (3)(a) Moneys from the Water Management Lands Trust  
7 Fund shall be used for acquiring the fee or other interest in  
8 lands necessary for water management, water supply, and the  
9 conservation and protection of water resources, except that  
10 such moneys shall not be used for the acquisition of rights-  
11 of-way for canals or pipelines. Such moneys shall also be  
12 used for management, maintenance, and capital improvements.  
13 Lands acquired with moneys from the fund shall be managed and  
14 maintained in an environmentally acceptable manner and, to the  
15 extent practicable, in such a way as to restore and protect  
16 their natural state and condition.

17 (b) The secretary of the Department of Environmental  
18 Regulation shall release moneys from the Water Management  
19 Lands Trust Fund to a district for preacquisition costs within  
20 30 days after receipt of a resolution adopted by the  
21 district's governing board which identifies and justifies any  
22 such preacquisition costs necessary for the purchase of any  
23 lands listed in the district's 5-year plan. The district  
24 shall return to the department any funds not used for the  
25 purposes stated in the resolution, and the department shall  
26 deposit the unused funds into the Water Management Lands Trust  
27 Fund.

28 (c) The secretary of the Department of Environmental  
29 Regulation shall release acquisition moneys from the Water  
30 Management Lands Trust Fund to a district following receipt of  
31 a resolution adopted by the governing board identifying the

1 lands being acquired and certifying that such acquisition is  
 2 consistent with the plan of acquisition and other provisions  
 3 of this act. The governing board shall also provide to the  
 4 Secretary of Environmental Regulation a copy of all certified  
 5 appraisals used to determine the value of the land to be  
 6 purchased. If the purchase price is greater than the  
 7 appraisal price, the governing board shall submit written  
 8 justification for the increased price. The Secretary of  
 9 Environmental Regulation may withhold moneys for any purchase  
 10 that is not consistent with the 5-year plan or the intent of  
 11 this act or that is in excess of appraised value. The  
 12 governing board may appeal any denial to the Land and Water  
 13 Adjudicatory Commission pursuant to s. 373.114.

14 (d) The secretary of the Department of Environmental  
 15 Regulation shall release to the districts moneys for  
 16 management, maintenance, and capital improvements following  
 17 receipt of a resolution and request adopted by the governing  
 18 board which specifies the designated managing agency, specific  
 19 management activities, public use, estimated annual operating  
 20 costs, and other acceptable documentation to justify release  
 21 of moneys.

22 Section 14. Subsection (1) of section 374.001, Florida  
 23 Statutes, is amended to read:

24 374.001 Transfer of canal authority to the Department  
 25 of Natural Resources; trust fund expenditures and management  
 26 plan coordinated with land acquisition programs.--

27 (1) The Canal Authority of the State of Florida is  
 28 transferred by a type three transfer, as defined in s.  
 29 20.06(3), to the Department of Natural Resources and assigned  
 30 to the Division of Resource Management. All funds of the  
 31 canal authority shall be transferred to and maintained in a

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1 trust fund account designated as the Cross Florida Barge Canal  
2 Trust Fund administered by the Department of Natural  
3 Resources. Expenditures for land acquisition from the trust  
4 fund, and development and implementation of the management  
5 plan developed pursuant to s. 253.7829, shall be coordinated  
6 with the Conservation and Recreation Lands and the Save Our  
7 Rivers acquisition programs.

8 Section 15. Subsection (11) of section 375.031,  
9 Florida Statutes, is amended to read:

10 375.031 Acquisition of land; procedures.--

11 (11) Each acquisition project shall be subject to the  
12 selection procedures of s. 259.035 if the estimated value of  
13 such project exceeds \$500,000 ~~\$250,000~~.

14 Section 16. Subsection (1) of section 375.075, Florida  
15 Statutes, is amended to read:

16 375.075 Outdoor recreation; financial assistance to  
17 local governments.--

18 (1) The Department of Natural Resources is authorized,  
19 pursuant to s. 370.023, to establish the Florida Recreation  
20 Development Assistance Program to provide grants to qualified  
21 local governmental entities to acquire or develop land for  
22 public outdoor recreation purposes. To the extent not needed  
23 for debt service on bonds issued pursuant to s. 375.051, each  
24 year, the department shall develop and plan a program which  
25 shall be based upon funding of not less than 5 percent of the  
26 money credited to the Land Acquisition Trust Fund pursuant to  
27 s. 201.15(2) and (3) in that year.

28 Section 17. Subsection (1) of section 380.504, Florida  
29 Statutes, is amended to read:

30 380.504 Florida Communities Trust; creation;  
31 membership; expenses.--

(1) There is created within the Department of Community Affairs a nonregulatory state agency and instrumentality, which shall be a public body corporate and politic, known as the "Florida Communities Trust." The governing body of the trust shall consist of:

(a) The Secretary of Community Affairs and the executive director of the Department of Natural Resources; and

(b) Three public members whom the Governor shall appoint subject to Senate confirmation.

The Governor shall appoint an elected official of a local government, a representative of a nonprofit organization as defined in this part, and a representative of the development industry. The Secretary of Community Affairs may designate his assistant secretary or the director of the Division of Resource Planning and Management to serve in his absence. The executive director of the Department of Natural Resources may appoint his assistant executive director, the deputy assistant director for Land Resources, the director of the Division of State Lands, or the director of the Division of Recreation and Parks to serve in his absence. The Secretary of Community Affairs shall be the chairman of the governing body of the trust. The Governor shall appoint the initial three governing body members between by February 1 and February 15, 1991, and those appointments shall take effect immediately upon Senate confirmation, July 1, 1991. Thereafter, the Governor shall make his appointments upon by February 1 preceding the expiration of any current terms.

Section 18. Section 380.505, Florida Statutes, is amended to read:

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MEMBER AMENDMENT (in computer)

Bill No. CS/CS/HB's 1911,1039,1815,3141

1           380.505 Meetings; quorum; voting.--The powers of the  
2 trust shall be vested in its governing body members. The  
3 governing body may delegate such powers to department staff as  
4 it deems necessary. Three members of the governing body shall  
5 constitute a quorum for the purpose of conducting its business  
6 and exercising its powers and for all other purposes.  
7 However, the governing body may take action only upon an  
8 affirmative vote of at least three members. ~~Beginning-July-1,~~  
9 ~~1991,~~ The governing body shall meet at least quarterly, and  
10 may meet more often at the call of the chairman or upon an  
11 affirmative vote of three members.

12           Section 19. Subsections (2), (3), (4), (5), (6), and  
13 (7) of section 380.508, Florida Statutes, are renumbered as  
14 subsections (3), (4), (5), (6), (7), and (8), respectively,  
15 and a new subsection (2) is added to said section to read:

16           380.508 Projects; development, review, and approval.--

17           (2) The chairman of the governing body of the trust  
18 may establish an advisory committee consisting of  
19 representatives of appropriate state agencies, local  
20 governments, nonprofit organizations, and other public and  
21 private groups to assist the department in analyzing and  
22 reviewing specific project proposals for the trust. State  
23 agencies that are represented on the advisory committee shall  
24 cooperate with and provide assistance to the department and  
25 the trust.

26           Section 20. Paragraph (d) of subsection (3) of section  
27 380.510, Florida Statutes, is amended, and subsection (7) is  
28 added to said section, to read:

29           380.510 Conditions of grants and loans.--

30           (3) In the case of a grant or loan for land  
31 acquisition, agreements shall provide all of the following:

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1 (d) If any essential term or condition of a grant or  
2 loan is violated, title to all interest in real property  
3 acquired with state funds shall immediately revert to the  
4 state. The trust shall treat such property in accordance with  
5 s. 380.508~~(4)~~<sup>(3)</sup>(e).  
6

7 Any deed or other instrument of conveyance whereby a nonprofit  
8 organization or local government acquires real property under  
9 this section shall set forth the reversionary interest of the  
10 state. The trust shall keep at least one copy of any such  
11 instrument and shall provide at least one copy to the Board of  
12 Trustees of the Internal Improvement Trust Fund.

13 (7) Any funds received by the trust from the  
14 Preservation 2000 Trust Fund pursuant to s. 259.101(3)(c)  
15 shall be held separate and apart from any other funds held by  
16 the trust and shall be used only to pay the cost of the  
17 acquisition of lands in furtherance of outdoor recreation and  
18 natural resources conservation in this state by a state  
19 agency, a local government, or a nonprofit organization. In  
20 addition to the other conditions set forth in this section,  
21 the disbursement of Preservation 2000 funds from the trust  
22 shall be subject to the following conditions:

23 (a) The administration and use of any funds received  
24 by the trust from the Preservation 2000 Trust Fund shall be  
25 subject to such terms and conditions imposed thereon by the  
26 agency of the state responsible for the issuance of the  
27 revenue bonds, the proceeds of which are deposited in the  
28 Preservation 2000 Trust Fund, including restrictions imposed  
29 to ensure that the interest on any such revenue bonds issued  
30 by the state as tax-exempt revenue bonds will not be included  
31

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1 shall otherwise be of the same material and size as standard  
2 license plates issued for any registration period. In small  
3 letters, the word "Florida" shall appear at the bottom of the  
4 plate. ~~The trust may include on its license plate an~~  
5 ~~appropriate slogan which shall appear in small letters at the~~  
6 ~~top of the plate.~~

7 (5) An applicant for a Florida Panther communities  
8 trust license plate may combine the request with one for a  
9 personalized prestige license plate. The department shall  
10 supply a form for combined requests, and such requests shall  
11 be subject to the additional fees in s. 320.0805(2)(b) and (c)  
12 and to the other requirements of s. 320.0805.

13 (6) Florida Panther Communities trust license plates  
14 shall be issued within 45 days of application.

15 (7) The department shall distribute the Florida  
16 Panther communities trust license plate annual use fee in the  
17 following manner:

18 (a) Fifty percent to the Florida Panther Research and  
19 Management Trust Fund in the Game and Fresh Water Fish  
20 Commission to be used for programs to protect the endangered  
21 Florida Panther;

22 (b) Twenty-five percent to the Save Our State  
23 Environmental Education Trust Fund in the Department of  
24 Natural Resources to be used for programs to inform the public  
25 about the habitat needs of the Florida Panther; and

26 (c) Twenty-five percent to the Florida Communities  
27 Trust Fund for use pursuant to the Florida Communities Trust  
28 Act.

29 Section 22. There is hereby appropriated for fiscal  
30 year 1990-1991 the following sums and positions:

31 (1) From the Preservation 2000 Trust Fund:



- 1        (a) \$150 million to the Department of Natural  
2 Resources for the purchase of public lands in accordance with  
3 s. 259.101(3)(a).
- 4        (b) \$90 million to the Department of Environmental  
5 Regulation to be distributed among the water management  
6 districts for the purchase of water management lands in  
7 accordance with s. 259.101(3)(b).
- 8        (c) \$30 million to the Department of Community Affairs  
9 to provide land acquisition grants and loans to local  
10 governments through the Florida Communities Trust in  
11 accordance with s. 259.101(3)(c).
- 12        (d) \$8.7 million to the Department of Natural  
13 Resources for the purchase of inholdings and additions to  
14 state parks in accordance with s. 259.101(3)(d).
- 15        (e) \$8.7 million to the Division of Forestry of the  
16 Department of Agriculture and Consumer Services to fund the  
17 acquisition of state forest inholdings and additions in  
18 accordance with s. 259.101(3)(e).
- 19        (f) \$8.7 million to the Game and Fresh Water Fish  
20 Commission to fund the acquisition of inholdings and additions  
21 to lands managed by the commission which are important to the  
22 conservation of fish and wildlife in accordance with s.  
23 259.101(3)(f).
- 24        (g) \$3.9 million to the Department of Natural  
25 Resources for the Florida Rails to Trails Program to acquire  
26 abandoned railroad rights-of-way in accordance with s.  
27 259.101(3)(g).
- 28
- 29 Funds appropriated pursuant to this subsection shall first  
30 have deducted from them a pro rata share of the costs of  
31

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MEMBER AMENDMENT (in computer)

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1 issuance, the cost of funding a reserve account, and other  
2 costs associated with the bonds.

3 (2) To the Department of Natural Resources, 3  
4 positions and \$110,000 from the Conservation and Recreation  
5 Lands Trust Fund to provide assistance to the Land Acquisition  
6 Advisory Council to develop and recommend, pursuant to s.  
7 259.035(3), Florida Statutes, a process for a state land  
8 acquisition needs assessment.

9 (3) To the Board of Regents for the Florida Resources  
10 and Environmental Analysis Center, \$165,000 and two positions  
11 from the General Revenue Fund and \$400,000 in nonrecurring  
12 funds from the General Revenue Fund to develop a plan for a  
13 statewide public lands geographic information system. The  
14 plan shall include an inventory of existing geographic  
15 information systems within state agencies, the State  
16 University System, and the water management districts; an  
17 assessment of long-term implementation costs and objectives;  
18 impacts and effects on local governments and appropriate state  
19 agencies; staffing and training requirements; technical  
20 specifications and a timetable for implementation; and an  
21 assessment of the feasibility of integrating data contained in  
22 existing computer-readable forms into such a system. The  
23 Florida Resources and Environmental Analysis Center shall  
24 coordinate the development of the plan with the Land  
25 Acquisition Advisory Council and shall report its interim  
26 findings to the council, the President of the Senate, and the  
27 Speaker of the House of Representatives no later than March 1,  
28 1991.

29 (4) To the Department of Community Affairs, 10  
30 positions and \$227,668 from the General Revenue Fund and  
31

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1 \$32,156 from the Florida Communities Trust Fund to implement  
2 s. 380.509, Florida Statutes.

3 (5) To the Department of Natural Resources, 20  
4 positions and \$834,432 from the Conservation and Recreation  
5 Lands Trust Fund to accelerate the acquisition of Conservation  
6 and Recreation Lands pursuant to this act.

7 (6) To the Department of Natural Resources, one  
8 position and \$1,472,321 from the Internal Improvement Trust  
9 Fund and one position and \$514,527 from the Working Capital  
10 Trust Fund within the Department of Natural Resources to  
11 continue the development of a state lands document imaging and  
12 retrieval system. The department shall coordinate with the  
13 Florida Resources and Environmental Analysis Center to ensure  
14 that the retrieval system shall be compatible with the  
15 geographic information system plan required in subsection (3).

16 Section 23. Paragraph (a) of subsection (3) of section  
17 193.461, Florida Statutes, is amended to read:

18 193.461 Agricultural lands; classification and  
19 assessment.--

20 (3)(a) No lands shall be classified as agricultural  
21 lands unless a return is filed on or before March 1 of each  
22 year. The property appraiser, before so classifying such  
23 lands, may require the taxpayer or his representative to  
24 furnish the property appraiser such information as may  
25 reasonably be required to establish that such lands were  
26 actually used for a bona fide agricultural purpose. Failure  
27 to make timely application by March 1 shall constitute a  
28 waiver for 1 year of the privilege herein granted for  
29 agricultural assessment. The owner of land that was  
30 classified agricultural in the previous year and whose  
31 ownership or use has not changed may reapply on a short form

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# Rules of the South Florida Water Management District

## MISCELLANEOUS PROVISIONS

### Chapter 40E-7

#### PART I WATER MANAGEMENT LANDS TRUST FUND

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- 40E-7.211 Resolution of Contract Bidding  
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- 40E-7.2121 Truth in Negotiation Certification
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#### PART III PROCEDURES FOR RESOLVING PROTESTS OF SOLICITATIONS OR CONTRACT AWARDS

- 40E-7.301 Reservation of Rights
- 40E-7.302 Resolution of Solicitation or Contract  
Award Protest
- 40E-7.303 Protest Bonds
- 40E-7.304 Inconsistency with Section 120.53(5),  
Florida Statutes

#### PART I WATER MANAGEMENT LANDS TRUST FUND

##### 40E-7.111 General.

The purpose of the rule in this part is to implement the legislative intent expressed in Section 373.59, Florida Statutes, and therefore, to establish District policies and procedures regarding a five year plan for the selection of land, and provide procedures for the acquisition and management of land, title to which shall vest in the District. It is also the intent of these rules to provide uniform acquisition procedures in order to effectuate efficient legal methods in accordance with sound business practices.

*Specific Authority* 373.044, 373.113, F.S.  
*Law Implemented* 373.046, 373.056, 373.083, 373.084,  
 373.086, 373.089, 373.099, 373.103,  
 373.139, 373.59, Chapters 73 and 74,  
 F.S.

*History--New* 7-18-82, Amended 8-14-88.

##### 40E-7.121 Definitions.

When used in this chapter:

- (1) "Department" means Florida Department of Environmental Regulation.
- (2) "Secretary" means the Secretary of the Florida Department of Environmental Regulation.
- (3) "District" means the South Florida Water Management District or its successor agency.
- (4) "Board" means the South Florida Water Management District Governing Board.
- (5) "Fund" means the Water Management Lands Trust Fund.
- (6) "Plan" means the five year plan as

approved by the Governing Board of the South Florida Water Management District.

(7) "Project" means a parcel or parcels of land in a discrete unit of purchase.

(8) "Survey" means a certified survey signed by a licensed land surveyor authorized to practice surveying in the State of Florida.

(9) "Acquisition" means the reduction of the title to land to be acquired to fee or such other legal interest necessary for water management, water supply and the conservation and protection of water resources.

(10) "Capital improvement" shall mean those improvements including but not limited to perimeter fencing, signs, firelanes, access roads and trails, and minimal public accommodations, such as primitive campsites, garbage receptacles, and toilets.

*Specific Authority* 373.044, 373.113, F.S.  
*Law Implemented* 373.046, 373.056, 373.083, 373.084, 373.086, 373.089, 373.099, 373.103, 373.019, 373.139, 373.59, Chapters 73 and 74, F.S.

*History--New* 7-18-82, Amended 8-14-88.

#### **40E-7.131 Selection of Lands - Five Year Plan.**

(1) The District shall adopt a five year plan designating the areas of land to be acquired, which shall be filed with the legislature and the Secretary by January 15, 1982. Annually thereafter, modifications or additions to the five year plan shall be filed with the legislature and the Secretary.

(2) Prior to the adoption, amendment or modification of the five year plan, the District shall hold one or more public hearings.

(3) Acquisition activity for the preceding fiscal year shall be reported annually to the legislature and the Secretary by January 15 of each year.

*Specific Authority* 373.044, 373.113, F.S.  
*Law Implemented* 373.139, 373.59, F.S.  
*History--New* 7-18-82.

#### **40E-7.141 Acquisition Procedures - Negotiations.**

(1) Upon determination of land requirements, descriptions and maps sufficient to identify the lands to be acquired shall be prepared.

(2) Ownership information shall be obtained and reviewed in order to determine the title to the land being acquired.

(3) The District shall obtain at least one written appraisal pursuant to Rule 40E-7.171.

(4) The District shall attempt to acquire each parcel through voluntary negotiation prior to commencement of proceedings in eminent domain.

(5) All contracts to purchase shall be reduced to writing and shall be contingent upon approval by the Board.

(6) The District shall attempt to negotiate the acquisition of desired parcels in accordance with the following procedure:

(a) Each owner or authorized representative shall be contacted with an offer to acquire.

(b) A "Negotiation Report" may be prepared and forwarded to Office of Counsel, which shall summarize such negotiations, including the amount of offer made by the District, and any counter-offer made by the property owner.

(c) In the event an offer is accepted by an owner or a counter-offer is accepted by the District, the District shall:

1. Arrange for the proper execution and recording of all necessary documents, and

2. Request Office of Counsel to prepare a resolution requesting the Board to approve the necessary funds pursuant to Rule 17-42.03.

(d) When a negotiated settlement cannot be readily attained, an authorized officer shall send a memorandum to Office of Counsel which shall include:

1. A request for a resolution to institute eminent domain proceedings,

2. Identification of parcels by title memorandum number, and

3. Legal interest or estate considered for acquisition.

(e) In the event a property owner, or authorized representative, makes an offer to the District prior to the District obtaining an appraisal, the District may accept such offer or make a counter-offer subject to obtaining such appraisal.

(7) The District may accept donations of land. In such event the provisions of subsection (6) shall be followed, except that appraisals may be waived upon concurrence of both the landowner and the District.

*Specific Authority* 373.044, 373.113, F.S.  
*Law Implemented* 373.056, 373.083, 373.086, 373.099, 373.103, 373.139, 373.59, F.S.  
*History--New* 7-18-82, Amended 8-14-88, 5-27-90.

#### **40E-7.151 Acquisition Procedures - Condemnation.**

(1) Proceedings in eminent domain shall not be commenced until authorized by the Board, with the advice and consent of the appropriate Basin Board whenever Basin funds will be utilized for such acquisition.

(2) The Board may adopt a resolution authorizing the institution of eminent domain

proceedings, which shall include the following when applicable:

- (a) identification of the project for which the property is being acquired and its location,
- (b) a statement by the Board finding that the project is necessary and in the public interest,
- (c) a statement that acquisition of lands for the project by eminent domain is necessary,
- (d) a statement of the legal authority for the project and the acquisition of lands,
- (e) identification of the lands to be acquired, the nature of the legal interest sought, and adoption of project maps, if available, and
- (f) a statement authorizing and directing Office of Counsel to institute eminent domain proceedings and proceedings by way of Declaration of Taking.

*Specific Authority* 373.044, 373.113, F.S.  
*Law Implemented* 373.59, Chapters 73 and 74, F.S.  
*History--New* 7-18-82.

#### 40E-7.161 Surveys.

(1) In order to determine the location, acreage and legal description of land to be acquired, the District may obtain a survey.

(2) In the event a survey is not obtained, the District shall then use the best available data in order to arrive at the boundaries and acreage of the land to be acquired.

(3) All surveys shall meet the minimum technical standard for land surveying in the State of Florida as adopted by the Florida State Board of Land Surveyors.

*Specific Authority* 373.044, 373.113, F.S.  
*Law Implemented* 373.056, 373.083, 373.086, 373.099, 373.139, 373.59, F.S.  
*History--New* 7-18-82.

#### 40E-7.171 Appraisals.

(1) All lands to be acquired shall be appraised by at least one real estate appraiser, except as provided in Section 40E-7.141(7).

(2) Prior to contracting with the District, each appraiser selected shall submit an affidavit substantiating that such appraiser has no vested or fiduciary interest in the property to be appraised, except for the professional fee.

(3) After a contract between the District and the appraiser has been executed, the District shall transmit all pertinent data to the appraiser regarding the assignment.

(4) All appraisals shall be kept confidential subject to the provisions of section 373.139(3), F.S.

(5) If approved by the Executive Director or his designee, District reviewed appraisals from other government agencies or non-profit organizations cooperating with the District on

acquisition may also be used to establish just compensation values.

*Specific Authority* 373.044, 373.113, F.S.  
*Law Implemented* 373.083, 373.139, 373.59, F.S.  
*History--New* 7-18-82, Amended 5-27-90.

#### 40E-7.181 Funding.

(1) For lands acquired by negotiation and purchase, the Board shall request the Department to release monies from the fund by adopting a resolution which shall comply with Chapter 17-42, Florida Administrative Code.

(2) For lands acquired by eminent domain, subsequent to the adoption of a resolution authorizing eminent domain proceedings, the Board shall adopt a resolution pursuant to subsection (1), which in addition shall authorize the Executive Director or other staff officer to request monies from the Fund as follows:

(a) A request from the District for funds sufficient to pay the owner the amount specified in the final judgment or the stipulation and order,

(b) A request from the District for funds sufficient to pay the amount specified in the court's order or the stipulation and order for any costs and fees of the owner, whether incurred in the trial court or an appeal, and

(c) A request from the District for reimbursement of all costs and fees incurred by the District associated with such acquisition.

(3) The District shall request the Department to release funds specified in subsection (2) within a sufficient time to allow the District to comply with section 73.111, Florida Statutes.

(4) For the management, maintenance and capital improvements to lands acquired, the Board shall request the Department to release monies from the Fund by adopting a resolution which specifies the designated managing agency, specific management activities, public use, estimated annual operating costs, and other acceptable documentation to justify the release of monies. The District may contract with state agencies to provide the management and maintenance services.

*Specific Authority* 373.044, 373.113, F.S.  
*Law Implemented* 373.056, 373.083, 373.086, 373.099, 373.139, 373.59, F.S.  
*History--New* 7-18-82, Amended 8-14-88.

#### 40E-7.191 Disposition of Surplus Land.

(1) The District may sell or exchange District lands which have been acquired with funds from the Water Management Lands Trust Fund. District lands are considered surplus when:

(a) They are not required for District or

# **1991 Save Our Rivers Five Year Plan**

## **Appendix E**

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### **Rules and Policies**

- 4.100 SOR LAND SELECTION AND  
ACQUISITION POLICY**
- 4.200 NEGOTIATING STRATEGY  
FOR LAND ACQUISITION  
PROGRAM**
- 5.001 LAND MANAGEMENT  
POLICY**

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

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**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

**A. STATEMENT OF POLICY**

1. The Governing Board recognizes a need to provide guidelines for selecting projects to be considered under the Resource Rivers Act (Section 373.59 Florida Statutes), which is also known as the Save Our Rivers Program. These guidelines include procedures for project selection and land acquisition and are intended as an addition and complementary to Rule 40E-7, Florida Administration Code.
2. It is the Governing Board's intention to implement the Save Our Rivers Program in a manner that will provide long-term benefit to the citizens living within the District as well as the water resources of the District.
3. The Governing Board recognizes that the Program's resources are limited and that land acquisition under the Program will primarily be on a willing seller basis.
4. It is the goal of this Program to identify, prioritize and acquire necessary interests in lands for water management, water supply, conservation and protection of water resources.
5. In compliance with Section 373.59, Florida Statutes, the District will file an annual five-year plan with the Department of Environmental Regulation and the Florida Legislature.
6. Funding for the Save Our Rivers Program is derived from revenue and Preservation 2000 Bond proceeds collected from the documentary stamp tax and it is administered by the Department of Environmental Regulation as provided for by Rule 17-42, Florida Administration Code.
7. To most effectively administer the Save Our Rivers Program, the District will closely coordinate with all other public land acquisition programs.
8. Through its regulatory programs, the District shall apply the same regulatory criteria to lands being considered for acquisition/protection under the SOR program, as it does to similar lands not being considered for acquisition/protection.

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

The District's regulatory program shall not be used solely to reduce or control value of lands to be considered for acquisition/protection under the SOR Program, notwithstanding normal effects of regulations on land values.

9. It is the policy of the Governing Board that inclusion of a property in the Five-Year Plan, pursuant to Section 373.59, F.S., does not reflect a definite intention by the South Florida Water Management District to acquire said property. Inclusion in the Five-Year Plan indicates that the subject property has acquisition potential depending upon further investigation as to its water resources, environmental and management features and negotiation of a mutually acceptable acquisition price.
10. The acquisition cost shall be the purchase price plus ancillary cost as listed below.

**SOR Ancillary Cost**

1. Appraisal Contract
2. Risk Assessment Contract
3. Title Insurance
4. Closing Cost
5. Boundary Survey and Legal Descriptions
6. Staff Time for Direct Negotiations
7. Management and Review of Appropriate Contracts  
and Title Insurance Contracts
8. Management and Review of Risk Assessment Contracts
9. Staff Time for Legal Support
10. Travel (Directly connected with a specific acquisition)

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

**B. SCOPE**

This policy will apply to all projects selected under the Save Our Rivers Program.

**C. GENERAL GUIDELINES**

**1. DEFINITIONS**

- a. *Acquisition* - acquiring title to land in fee; or in the discretion of the District, such other legal interest necessary for water management, water supply, or the conservation and protection of water resources.
- b. *Board* - the Governing Board of the South Florida Water Management District.
- c. *Department* - the Florida Department of Environmental Regulation.
- d. *District* - the South Florida Water Management District.
- e. *Plan* - the Five Year Plan as approved by the.
- f. *Secretary* - the secretary of the Department.
- g. *Selection* - the process of identifying and evaluating proposed projects for inclusion in the plan..
- h. *SOR* - the Save Our Rivers Program as provided under Section 373.59 F.S.
- i. *SOR Project*- a geographical area possessing unique features necessary for water management, water supply, and the conservation and protection of water resources.
- j. *Florida Preservation 2000* - Section 259.101, Florida Section, providing for the proceeds of bonds deposited in the Florida Preservation 2000 Trust Fund and for criteria for certain projects financed by such proceeds.

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

2. **SELECTION COMMITTEE:** A committee shall be established and composed of the following District staff members to make recommendation to the Board for selection of projects for inclusion in the plan:

- a. Director, Department of Planning
- b. Director, Department of Regulation
- c. Director, Department of Research and Evaluation
- d. Director, Department of Operations and Maintenance
- e. Director, Department of Land Management
- f. Deputy Executive Director
- g. District Counsel
- h. Director, Department of Construction Management
- i. Director, Department of Finance and Administration

Each committee member may designate a specific staff member to function as the representative on all committee work.

The Committee Chairman will be the Deputy Executive Director and Vice Chairman will be the Director of Land Management.

The committee shall be responsible for receiving and evaluating all suggestions for selection of projects under the Save Our Rivers Program. In addition, the committee shall provide direction to the Save Our Rivers Program for the Development of policies. This includes the incorporation and prioritization of the projects currently on the District's Strategic Plan with the Save Our Rivers Five Year Plan and the administration of Preservation 2000 requirements. All proposals to the Board for selection shall originate from the committee; all suggestions for selection shall be submitted to the committee. The committee shall meet at least twice a year to consider all suggestions for selection and to prepare a plan of proposed projects. In order for a suggested project to receive approval for consideration on the plan proposed by the committee, it must be nominated by one committee member and have votes of approval by at least five committee members. Should any members of the committee have a direct or indirect, present or contemplated future interest in a parcel proposed or could personally benefit from the acquisition of the parcel, the member shall not participate in discussion, vote or other action in regard to that parcel. The Board may consider appeals on any project proposed to the committee but not recommended to the Board by the committee.

The public meetings of the Selection Committee shall be widely publicized. Minutes summarizing all comments made at the meetings shall be prepared and distributed to all committee members.

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

**D. PROJECT SELECTION GUIDELINES**

1. **TYPES OF PROJECTS:** Projects considered necessary for water management, water supply and the conservation and protection of water resources and thus eligible for selection include but are not limited to:
  - a. river and stream flood plains
  - b. river and stream flood ways
  - c. river and stream flood hazard areas
  - d. river and stream littoral areas
  - e. springs
  - f. lakes including littoral zones
  - g. aquifer recharge area
  - h. wetlands,
  - i. well fields,
  - j. unique water features,
  - k. appropriate buffer zones qualifying for a - j
  - l. lands needed to retain or store water, or
  - m. remainders of land ownerships included in a - l
2. **SOR PROJECT PROPOSAL:** The SOR Projected Proposal Form shall be completed and submitted to the District for consideration of any proposed project.
3. **EVALUATION MATRIX**

The project Evaluation Matrix is used to screen and categorize prospective additions to the Five Year Plan. Based on the Project Ranking Criteria and Guidelines for Site Priority Ranking, each project will be scored on a 1-5 scale for each parameter. In addition, weighting factors, or multipliers, have been added to certain high priority parameters. The first phase, or Category I parameters, deal strictly with water resource related issues.

**CATEGORY I**

<u>PARAMETER</u>	<u>WEIGHTING FACTOR</u>
1. Water Management	5
2. Water Supply	5
3. Conservation and Protection of Water Resources	5

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

Each project will be screened by the parameters in Category I first. After the initial screening is complete, seven additional factors in Category II will be evaluated. Those include:

<u>PARAMETER</u>	<u>WEIGHTING FACTOR</u>
4. Manageability	2
5. Habitat Diversity	2
6. Species Diversity	1
7. Connectedness	2
8. Rarity	2
9. Vulnerability	1
10. Nature Oriented Human Use	1

It is intended that project scoring be conducted by a team of reviewers, each of whom is familiar with all the projects. In this manner, any personal biases will carry through all the projects, rather than only reflect in one or two. All projects will be rated against each other so comparisons can be made among parcels, rather than adhering to a strict set of criteria for scoring purposes.

Based on this matrix, the SOR projects have been separated into two categories:

- 1) **Category A Projects:** Category A projects are those lands which received the highest relative scores when compared with all parcels evaluated for consideration for the Five Year Plan. These projects represent the best examples of lands within the District necessary for water management, water supply and conservation and protection of water resources.
- 2) **Category B Projects:** Category B projects are those parcels that meet the qualifications of the Save Our Rivers Program but ranked lower in relative score to all projects evaluated for consideration in the Five Year Plan. Should landowners contact the District regarding the sale of their lands in these project areas, an attempt will be made to secure those rights as a gift or a bargain sale.
- 3) **Legislatively Mandated Projects:** In 1981, when Florida Resources Rivers Act was passed, the Florida Legislature specified that three projects within the South Florida Water Management District be considered for purchase with the monies from the Water Management Lands Trust Fund.
  - a. Water Conservation Areas
  - b. Nicodemus Slough
  - c. Savannahs

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

**4. SOR SELECTION CRITERIA FOR WATER RESOURCE PROJECTS**

**Application**

These criteria apply to projects designed primarily to supply off-site water resource benefits. Thus, evaluation is performed not on the lands themselves, as with the resource-based matrix, but consider the use to which the lands would be put in context with a described project. Examples for benefits provided by such lands would be:

- A. Distribution systems to simulate sheet flow inputs into wetlands systems.
- B. Retention systems operated to simulate the natural hydrograph for delivery of water into natural wetlands, lakes or estuaries.
- C. Water quality treatment system utilizing managed or unmanaged wetland/marsh vegetation process.
- D. Groundwater recharge and/or water table control to facilitate recharge to aquifers or retain seepage from water storage facilities.
- E. Buffer, access or transitional areas necessary to protect core lands from adverse impacts, provide wildlife corridors, provide for public enjoyment of the core land, or isolate certain management practices such as flooding and prescribed burning.

**Criteria**

Any land acquisition would require prior Governing Board approval of the subject plan.

- 1. Proposed project lands are identified in a District Plan such as WUMP or SWIM, and
- 2. Subject lands would be utilized to provide simulated or naturally functioning water resource quality/quantity benefits, and
- 3. Lands would be part of the project resulting in net increase of natural resource values, when considering both any on-site losses and off-site gains, and
- 4. Capital improvements, such as canals, levees, weirs and pumps shall be limited to only those necessary to achieve the proposed water resource benefits, and

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

5. All appropriate funding sources for acquisition have been identified.

**E. LAND ACQUISITION GUIDELINES**

**1. GENERAL CRITERIA**

- a. All projects on the plan shall be evaluated to determine the nature and extent of land interests that are necessary for acquisition in order to achieve the purposes for which the project was included in the plan.
- b. In order to maximize the overall benefits of the SOR Program, the District shall seek to acquire only the quality of the title necessary to achieve project purposes.

**2. ACQUISITION PRIORITY**

An acquisition priority analysis is conducted annually by the Land Management Department as part of the Five Year Plan preparation. The purpose of the analysis is to structure and direct the acquisition resources of the District. The criteria used to prioritize SOR projects are:

1. Standing on District Strategic Plan
2. Potential for Resource Loss
3. Potential for Cooperative Acquisition
4. Disposition of Owner(s)

**3. NOTIFICATION OF OWNERS**

As owners are identified in an approved Five Year Plan project, a notification letter will be mailed to them. The letter will briefly describe the program objectives and provide a focal point for future questions and discussion.

**F. NEGOTIATION GUIDELINES**

Negotiation strategies for SOR acquisitions are detailed in Administrative Policy and Procedures 4.200.

**1. CONSIDERATION OF APPRAISALS:**



**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

- a.) After review and approval by the District's Real Estate Division, the Executive Director or his designee authorizes the use of a District appraisal for purchase negotiations with the appropriate land owners.

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- b.) If approved by the Executive Director or his designee, appraisals from other government agencies or non-profit organizations cooperating with the District on acquisition may also be used to establish just compensation values after review and approval by the District's Real Estate Division to establish just compensation.
  - c.) Two approved appraisals are required for all SOR acquisitions parcels which exceed \$500,000 based on preliminary value estimates by the District's chief real estate review appraiser. However, the Director of the Land Management Department or his designee may require two appraisals for any parcels estimated at less than \$500,000 to establish just compensation value in complex situations or for other extenuating circumstances.
  - d.) The District's review appraisal report determines the just compensation value for all proposed acquisitions and resolves differences among two or more appraisals on any specific land parcel.
  - e.) An updated appraisal(s) is required every two years to account for long delays in the negotiating process. Updates in less than two years should be utilized by negotiators to account for rapidly changing values or other market conditions. Updates are recommended by the land acquisition negotiator and approved by the Appraisal Selection Committee. Authorization to proceed with negotiations using the updated appraisal is the same as a first appraisal.
  - f.) When a fee simple estate is acquired subject to outstanding interests such as a mineral interest, life estate, easement or lease, the purchase price shall be reduced in accordance with the affect the outstanding interests have upon the market value of the lands.
2. PURCHASE: SOR Director shall present a recommendation to the Board for approval of an offer to purchase according to Rule 40E 7.181.
  3. EMINENT DOMAIN: When efforts to acquire lands through negotiation have been unsuccessful, the Board may authorize the use of eminent domain, where applicable.
  4. RECORDS: Records of all contacts with property owners shall be retained in the Department of Land Management.

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

**G. PREPARATION OF FIVE YEAR PLAN:**

An Acquisition Plan and Status Report shall be prepared by the committee and presented to the Governing Board annually, or more frequently, if considered necessary by the Board or the committee.

1. The Acquisition Plan shall include a written report of the favorable and unfavorable merits of each project selected for acquisition consideration and shall consider and evaluate in writing:
  - a. an assessment of the projects water management, water supply and conservation values including ecological values, vulnerability, endangerment and any other related environmental information.
  - b. the public purpose of the project, including the statutory authority;
  - c. an assessment of management cost, utilization, ownership, and appraised value estimates;
  - d. the determination whether the project conforms with local and state comprehensive plans or any other adopted governmental plans;
  - e. the determination whether the project meets one or more of the six criteria for Preservation 2000.
    1. A significant portion of the land in the project is in imminent danger of development;
    2. A significant portion of the land in the project is in imminent danger of subdivision which will result in multiple ownership and may make acquisition of the project more costly or less likely to be accomplished;
    3. The value of a significant portion of the land in the project is likely to appreciate at a rate that makes purchasing the land immediately with bond proceeds more cost-effective than delaying its purchase until acquisition funds which are not bonded are available for the project;
    4. A significant portion of the land in the project serves to protect or recharge groundwater and to protect other valuable natural resources or provide space for natural resource-based recreation;
    5. The project can be purchased at 80 percent of appraised value or less; or

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

6. A significant portion of the land in the project serves as habitat for endangered or threatend species or serves to protect endanged natural communities, and

f. potential management options.

The Plan shall identify lands needed to protect or recharge groundwater and shall establish a plan for the acquisition as necessary to protect potable water supplies. These lands shall also serve to protect other valuable resources or provide space for natural resource-based recreation. The Five Year Plan report will include a detailed summary of acquisition activity, modification or additions to the acquisition plan and a description of all land management activity.

2. **BOARD CONSIDERATION OF THE FIVE YEAR PLAN:** As a minimum, the Board shall review all proposed projects and current projects on an annual basis. The Board shall annually adopt an update on the Five-Year Plans and after adoption, the projects approved shall be incorporated in a report and it will be made available to the public. The Board recognizes that the Five Year Plan is a list of projects that qualify for the program. Projects included on the Five Year Plan will not necessarily be acquired.

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

**SOR PROJECT PROPOSAL FORM**

Please return ten copies of this form with ten copies of all referenced attachments to:

Director, Save Our Rivers  
South Florida Water Management District  
P.O. Box 24680  
West Palm Beach, Florida 33416-4680

Please complete every question on this form. If necessary, designate N/A where a question is not applicable. Complete applications will receive more prompt and complete attention.

**1. Name and Location**

Property Name (commonly known as) \_\_\_\_\_  
County (or counties) \_\_\_\_\_

Within Municipal Boundaries - Yes \_\_\_ No \_\_\_ Please attach a location map (8 1/2 by 11") specifying the property location and include a north arrow (map drawn to scale if possible); also please provide with any additional property maps or aerial photography which may further clarify the suggested project.

**2. Size**

Estimated Number of Acres \_\_\_\_\_ Estimated Number of Parcels \_\_\_\_\_  
Estimated Acreage per parcel \_\_\_\_\_

**3. Access**

Does the property front on a public road? Yes \_\_\_ No \_\_\_  
If not, describe type of legal access? \_\_\_\_\_

**4. Ownership Information**

Identify the property owner and the contact address and telephone number  
\_\_\_\_\_

**5. Survey Information**

Are surveys and/or legal descriptions available? \_\_\_\_\_  
If so, attached or specify where they may be obtained. \_\_\_\_\_

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

**6. Title Information**

Are abstracts available from owner(s)? Yes ☐ No ☐  
Do/Does owner(s) have title insurance policies? Yes ☐ No ☐

**7. SOR Qualifications**

Provide detailed information concerning the qualifications of the property for water management, water supply or the conservation and protection of water resources. \_\_\_\_\_

**8. Natural Characteristics**

Provide a description of the natural characteristics of the property, including the predominant plant and animal life; specify types of trees and percentage of coverage, types of animal life, any rare, or endangered or threatened species, identified by Federal or State programs or other unique geological features, etc. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Also, provide information on reports prepared by any other agencies on the physical characteristics of the property; if possible, attach a copy of the report.  
\_\_\_\_\_  
\_\_\_\_\_

**9. General History Influences**

What are the historical and archaeological values of the property? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provide a description of general history of the property; include the identification of significant past disturbances, both natural and human; include dates of storm damage, fires, floods, exotic infestations, farming, grazing, mowing, or other site disturbances; also describe any structures, roads, rails, fences, etc.; is land involved in litigation (if yes, specify); is land on other public land acquisition lists (if yes, specify program and agency).  
\_\_\_\_\_  
\_\_\_\_\_

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

10. Buildings

Describe types and occupancy, if any: \_\_\_\_\_  
\_\_\_\_\_

11. Future Impacts

Identify the anticipated future impacts which may have a negative affect on this property and whether the impacts are in the near future or are long range. \_\_\_\_\_

12. Planning and Zoning

Indicate local zoning and land use designation (from future land use map) on each parcel. \_\_\_\_\_

Identify any other adopted state, regional and local plans that may affect the project; is it compatible with the State Water Use Plan?  
\_\_\_\_\_

13. Local Participation

Will the local government participate the funding? Yes \_\_\_\_\_ No \_\_\_\_\_  
Provide in-kind services? Yes \_\_\_\_\_ No \_\_\_\_\_  
Assist the management? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, to what extent? \_\_\_\_\_

14. Attachments

Identify and label each attachment: (with boundaries noted) Suggested attachments may include: zoning maps, soil maps, ownership maps, aerial photographs, vegetative maps, water resource maps, endangered species maps, on site photographs and U.S.G.S. Quadrangle maps.

Attachment A: \_\_\_\_\_  
Attachment B: \_\_\_\_\_  
Attachment C: \_\_\_\_\_  
Attachment D: \_\_\_\_\_  
Attachment E: \_\_\_\_\_

It is the policy of the Governing Board that inclusion of a property within the Five Year Plan pursuant to Section 373.59 ,F.S. does not reflect a definite intention by the

**SUBJECT: SOR LAND SELECTION AND ACQUISITION POLICY**

South Florida Water Management District to acquire said property. Inclusion within the Five Year Plan indicates that the subject property has acquisition potential, depending upon further investigation as to its environmental and management features and the negotiation of a mutually acceptable acquisition price.

15. Form Completed by:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: (    ) \_\_\_\_\_

Please state affiliation to owner(s) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_





## ADMINISTRATIVE POLICY AND PROCEDURE

Policy No. 4.200

Page 1 of 4

Effective: 11/85

Revised: 11/89

**SUBJECT: NEGOTIATING STRATEGY FOR LAND ACQUISITION PROGRAM**

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## **ADMINISTRATIVE POLICY AND PROCEDURE**

**Policy No. 4.200**

**Page 2 of 4**

**Effective: 11/85**

**Revised: 11/89**

**SUBJECT: NEGOTIATING STRATEGY FOR LAND ACQUISITION PROGRAM**

### **A. STATEMENT OF POLICY**

1. The District's efforts in land acquisition must be timely, effective and cost efficient.
2. The District bases its land acquisition program on accepted appraisal reports according to Policy No. 4.300.
3. The District's acquisition program includes a policy of identifying, surveying, legally describing, assessing for environmental risks and appraising the desired land. Offers are then made to the landowners based on appraisal values. If the negotiations are unsuccessful, the District may proceed to use the power of eminent domain where applicable.
4. In the District's project program, acquisitions are made at not less than the minimum appraised value.
5. In the Save Our Rivers Program, acquisitions for less than minimum appraised value are authorized.



## **ADMINISTRATIVE POLICY AND PROCEDURE**

**Policy No. 4.200**

**Page 3 of 4**

**Effective: 11/85**

**Revised: 11/89**

### **SUBJECT: NEGOTIATING STRATEGY FOR LAND ACQUISITION PROGRAM**

#### **B. SCOPE**

1. This policy shall apply to all real property acquisitions in the District.

#### **C. PROCEDURES AND GUIDELINES**

1. The South Florida Water Management District presently has two (2) programs which involve land acquisition.
2. The first program is the South Florida Water Management District and/or Army Corps of Engineers projects for flood control or water storage. This land acquisition program allows the District to exercise its right to eminent domain, if an amicable settlement cannot be reached.
3. The second program of land acquisition is the Save Our Rivers (SOR) Program. Under the SOR Program condemnation when authorized by law is appropriate:
  1. When the seller is willing in order to determine value.
  2. To complete a project for which the majority of the land has been acquired.
  3. When the land is determined to be critical to the success of the project.
4. In both acquisition programs, the District employs an appraiser, or in some cases two (2) appraisers, to prepare a report determining the market value of the owner's interest in the land desired. The appraisers will include, when applicable, an indication of damages and/or cost to cure to the remainder.



## **ADMINISTRATIVE POLICY AND PROCEDURE**

**Policy No. 4.200**

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**Effective: 11/85**

**Revised: 11/89**

### **SUBJECT: NEGOTIATING STRATEGY FOR LAND ACQUISITION PROGRAM**

5. When appraisers are engaged to determine market value, they may use three (3) approaches to determine value. Those approaches are the Market Data or Comparable Sale Approach, the Income Approach and the Cost Approach.
6. The Market Data or Comparable Sale Approach is widely accepted by the courts and actually supports its conclusion directly from the market itself.
7. The other two approaches are often used as support for the Market Data Approach but are rarely used alone.
8. The District reviews each appraisal report, and the compensation offered is based on the accepted appraisal reports.
9. With regard to acquisitions under the District and/or Corps of Engineers Program, offers made to the landowners are always not less than the minimum appraised value.
10. The District actively seeks donations or partial donations of land it finds important to its needs.
11. The Save Our Rivers Program seeks to acquire land from willing sellers on a negotiated basis. The policy is to negotiate with any willing seller and to pay no more than the maximum appraised value for the high priority lands.
12. When negotiating with owners whose property is of a lower priority, the District may notify the owners of the appraised value but explain that the District may pay less than the appraised value to purchase. In addition, the District will provide information to the owners concerning potential tax benefits of selling land to the District for less than the market value.
13. The District will continue its policy of offering minimum appraised value to owners whose property is needed for District projects or when the District is acting as local sponsor for the U.S. Army Corps of Engineers.

# DELEGATION OF AUTHORITY

DELEGATION OF AUTHORITY		TYPE OF AUTHORITY
FROM	TO	
GOVERNING BOARD	EXECUTIVE DIRECTOR OR DESIGNEE	Authority to Negotiate Land Purchase for SOR Parcels.



## ADMINISTRATIVE POLICY AND PROCEDURE

Policy No. 5.001

Page 1 of 9

Effective: 06-12-87

SUBJECT: Land Management Policy

### SAVE OUR RIVERS LANDS

#### I. PURPOSE AND SCOPE

- A. The policies, procedures, and guidelines contained herein are established to provide for the management of lands acquired under the Save Our Rivers program in a manner consistent with the District's mission and the legislative directives set forth in Chapter 373.59 Florida Statutes.
- B. These policies, procedures, and guidelines shall apply to all property acquired under the Save Our Rivers program.
- C. Nothing in these policies, procedures, and guidelines shall negate any statute, administrative rule, or other policy requirement.
- D. These policies, procedures, and guidelines will be reviewed at five (5) year intervals or earlier, if necessary, and updated as required. Public review and comment will be solicited as part of the review process.

#### II. DEFINITIONS

- A. Cooperative Management Agreement - An agreement between two or more agencies setting forth the respective duties and responsibilities of each agency in the management of a specific tract of land.
- B. Lead Agency - Agency designated as the prime managing entity for a given tract of land; generally provides the on-site staff required for public use management.
- C. Cooperating Agencies - Two or more agencies working together to operate a specific management unit.
- D. Management Unit - A single tract or combination of tracts under one management program.
- E. Wildlife Corridor - Two or more contiguous tracts of land forming a natural linkage for wildlife populations.



## ADMINISTRATIVE POLICY AND PROCEDURE

Policy No. 5.001

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Effective: 06-12-87

SUBJECT: Land Management Policy

- F. Primary Resource Lands - Lands having high water resource, fish and wildlife, and recreational values requiring acquisition by gift or purchase.
- G. Buffer Lands - Those adjacent lands that can sustain some development provided sufficient control is maintained to prevent adverse impacts to the primary resource lands.
- H. Remainder Lands - Lands protected by local zoning that do not need to be placed in public ownership.

### III. SELECTION OF LAND MANAGERS

- A. The District shall strive to obtain the expertise and assistance required for the management of specific tracts of land by entering into cooperative management agreements with other state and federal agencies, units of local government, and private non-profit organizations. The cooperative management agreement will designate a lead agency for management purposes.
- B. Where appropriate, the private sector will be encouraged to furnish certain management related facilities and services through the execution of real estate leases, agreements, and/or licenses.
- C. The District is charged by law with the responsibility for management of all lands acquired under the Save Our Rivers Program and therefore must act as the final arbiter of disputes arising between cooperating agencies.

### IV. MANAGEMENT PLANS

#### A. Conceptual Management Plan

- 1. The preparation of a conceptual management plan (CMP) may be required for each major tract of land prior to acquisition. The CMP shall be prepared by or at the direction of the District.



## ADMINISTRATIVE POLICY AND PROCEDURE

Policy No. 5.001

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2. Each CMP shall set forth a recommended management proposal and contain general background data on the property including but not limited to:
  - a. size, location, and access
  - b. history
  - c. existing land use and improvements
  - d. soils
  - e. topography
  - f. hydrology
  - g. vegetation
  - h. fish and wildlife resources
  - i. recreational potential
  - j. water quality, and
  - k. existing and potential impacts from adjacent areas
3. The process utilized by the District in developing the CMP shall solicit the comments and recommendations of individuals, organizations, local governments, and those regional, state, and federal agencies having a stake in the management of the tract.

### B. Operational Management Plan

1. An operational management plan (OMP) shall be developed by the lead agency in consultation with the cooperating agencies for each major tract of land (or group of tracts) to be operated as a single management unit.
2. The OMP shall contain detailed information on the status of the area's critical resources, set forth general and specific management goals, objectives, and guidelines for each, and outline the specific procedures, funding requirements, and activities necessary for their accomplishment.
3. The OMP shall be reviewed periodically and updated as necessary.





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### C. Annual Work Plans

1. An annual work plan shall be developed by each of the agencies participating in the management of a given unit.
2. Each work plan shall set forth the staffing levels, equipment and materials, funding requirements, and work activities proposed by the respective agency for implementation of the OMP.
3. The cooperating agencies shall meet at least once each year to discuss the status of the management unit and their planned activities for the upcoming year.

## V. GENERAL POLICIES AND GUIDELINES

### A. Water Resources

1. Management activities on Save Our Rivers tracts shall be directed toward conservation and protection of the unit's water resources.
2. The District shall not support or encourage any activities or development that would significantly alter the natural (undisturbed) movement and/or degrade the quality of surface or groundwater on management units.
3. Where feasible, an attempt shall be made to restore a more natural hydroperiod on tracts where the drainage patterns have been substantially altered.
4. Visitor programs shall inform and educate the public relative to the importance of the area in maintaining adequate supplies of good quality water for the South Florida area.

### B. Fish and Wildlife Resources

1. Management activities on Save Our Rivers tracts shall seek to establish and maintain an appropriate number and variety of indigenous game and non-game species.



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2. Particular emphasis shall be placed on the identification and management of critical habitat for endangered or threatened species residing on or frequenting the management units.
3. On areas where hunting will be allowed, consideration shall be given to the need for the establishment of sanctuary areas or "no hunting zones" to provide additional protection for endangered species and facilitate passive observation of wildlife.
4. Activities that may contribute to a decline in water quality and/or a reduction in critical wildlife habitat shall not be encouraged on management units.

### C. Native Plant Communities

1. Management practices on Save Our Rivers tracts shall seek to restore and maintain an appropriate variety and distribution of native plant communities.
2. Particular emphasis shall be placed on the identification and protection of rare and endangered species.
3. The planting of exotic plant species shall be prohibited on all management units. Management practices will strive to identify existing infestations and to develop and implement appropriate control and/or eradication measures.
4. Management of the forest resources on select tracts shall be undertaken in consultation with the Division of Forestry.
5. Forest management practices shall strive to maintain age-class diversity and where appropriate species diversity.

### D. Archeological and Historical Resources

1. The identification of sites within the management units that have unique archeological and/or historical significance shall be undertaken in consultation with the Florida Bureau of History and Archives.



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2. Management practices shall strive to protect these unique resources and in appropriate situations allow for the provision of access and interpretive facilities to enhance their appreciation and enjoyment by the public.

### E. Recreational Use

1. Public use of management units for appropriate resource based outdoor recreational activities such as hunting, fishing, camping, horseback riding, hiking, boating, canoeing, and nature study shall be permitted and encouraged where such use does not interfere with protection and management of the area's critical water and environmental resources.
2. Management practices shall determine the mix of activities and level of use appropriate for each management unit. Activities that are considered highly disruptive to other recreational uses or those that are clearly or potentially destructive of the area's critical resources will be prohibited.
3. The use of airboats, swamp buggies, tracked vehicles, motorcycles, and other types of off road vehicles on most management units shall be prohibited. Where authorized, motorized access will be limited to the greatest extent possible to the use of four-wheeled vehicles licensed for street use on certain designated roads.
4. Recreational development on most management units shall be limited to the greatest extent possible to the provision of basic facilities for access, health and safety, and interpretation. The provision of certain facilities and services through the awarding of appropriate concession contracts may be authorized on some areas.
5. Rules and regulations governing the public use of all management units shall be established and enforced by the lead agency.



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6. The construction and maintenance of private camps and campsites on management units shall be prohibited.
7. Consideration may be given to the development and implementation of a permit/fee system on management units.
8. Programs shall be developed and implemented to inform and educate visitors with respect to water resource management issues and the critical resources found on each management unit.

F. Agricultural Use

1. Agricultural activities conducted on Save Our Rivers lands shall be limited to the grazing of livestock on native range and farming practices contributing to the production of food and cover for wildlife.
2. The conversion of native range to improved pasture shall be prohibited on all management units.
3. To the extent practical, management practices shall seek to convert existing improved pastures to native range.
4. The development and implementation of livestock grazing programs on management units shall be undertaken in consultation with the Soil Conservation Service.
5. Managing agencies shall implement measures to reduce potential conflicts between livestock grazing operations and concurrent recreational use.

G. Bee Leases and Apiaries

1. Consideration may be given by the District to the establishment of apiaries on management units through the development and awarding of appropriate leases.



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2. Current state of Florida Statutes, guidelines and standards regarding fees, distance between sites and from property boundaries, and related matters will be utilized in developing lease specifications.
3. Leases shall not be transferrable or assignable in whole or in part without the written consent of the District.
4. If an existing annual lease is not renewed, the former lease holder shall have thirty (30) days from the expiration of the lease to remove all of his/her capital improvements from the area. Future leasing of this site shall then be determined through a publicly announced drawing conducted by the District.

### H. Other

1. District shall support those research and academic endeavors on management units by qualified agencies, educational institutions, and public and private conservation organizations that will contribute to more effective management and use of these areas.
2. Requests from government and/or private sources for permission to place signs, billboards, roads, power lines, pipelines, and similar items on or through Save Our Rivers property shall be approved by the District only when the applicant has affirmatively demonstrated that the proposed use is consistent with preservation and enhancement of the area's critical resources and use of the area by the public for recreational purposes.
3. Management decision making shall consider whether the lands are primary resource lands, remainder lands, or buffer lands.
4. Local government support shall be encouraged throughout the management process particularly with respect to the regulation of buffer areas and the creation of wildlife corridors.



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5. Where necessary, to protect the resources of the property, law enforcement assistance will be requested from the appropriate agency.
6. Detailed procedures to implement this policy are identified in the Land Acquisition/Management Procedures flow chart.

### OTHER DISTRICT LANDS (Not To Include SOR Lands)

#### I. MANAGEMENT OF OTHER DISTRICT LANDS

- A. The management of these lands shall be in accordance with the existing statutes and rules which include the following:
  1. The District may lease any lands, or interests in lands in accordance with Section 40E-9.957, Florida Administrative Code and Section 373.093, Florida Statutes.
  2. The District may convey any interest in lands to other governmental entities for management in accordance with Section 40E-9.961, Florida Administrative Code and Section 373.056, Florida Statutes.
  3. The District may permit the usage or occupancy of right of way, works, or lands in accordance with Chapter 40E-6, Florida Administrative Code and Section 373.085, Florida Statutes.

**1991 Save Our Rivers  
Five Year Plan**

**Appendix F**

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**SAVE OUR RIVERS  
LAND EVALUATION MATRIX**

# SAVE OUR RIVERS LAND EVALUATION MATRIX

The Save Our Rivers Division has developed a two part Evaluation Matrix for the purpose of screening and prioritizing prospective additions to the Five Year Plan. Based on the Project Ranking Criteria and Guidelines for Site Priority Ranking, each project will be scored on a 1--5 scale for each parameter. In addition, weighting factors, or multipliers, have been added to certain high priority parameters. The first phase, or Category I parameters, deal strictly with water resource related issues.

## CATEGORY I

<u>PARAMETER</u>	<u>WEIGHTING FACTOR</u>
1. WATER MANAGEMENT	5
2. WATER SUPPLY	5
3. CONSERVATION AND PROTECTION OF WATER RESOURCES	5

Each project will be screened by the parameters in Category I first. If passing scores are not attained, the project will be dropped from the list and will be given no further consideration. After the initial screening is complete, seven additional factors in Category II will be evaluated. Those include:

## CATEGORY II

<u>PARAMETER</u>	<u>WEIGHTING FACTOR</u>
4. MANAGEABILITY	2
5. HABITAT DIVERSITY	2

6. SPECIES DIVERSITY	1
7. CONNECTEDNESS	2
8. RARITY	2
9. VULNERABILITY	1
10. NATURE ORIENTED HUMAN USE	1

It is intended that project scoring be conducted by a team of reviewers, each of whom is familiar with all the projects. In this manner, any personal biases will carry through all the projects, rather than only being reflected in one or two. All projects will be rated against each other so comparisons can be made among parcels, rather than adhering to a strict set of criteria for scoring purposes.

## PROJECT RANKING CRITERIA

The following items are intended to be used for consideration when scoring. The reviewer is not bound to only these categories. Personal knowledge of additional factors should be included.

### 1. WATER MANAGEMENT

- A. Floodplains
- B. Flow ways
- C. Peak discharge attenuation
- D. Water quality improvement
- E. Aquifer recharge

This section deals with the physical water management parameters of the site. Does the project area lie within the floodplain or flow way of a river or stream? Does it provide basin storage for a surrounding watershed? Does ponding in low lying uplands or wetlands reduce peak discharge rates and recharge groundwater aquifers? Is water quality improved or maintained by allowing overland sheetflow and ponding? What properties, areas and activities can be protected by the site's flood retention/detention capacity?

### 2. WATER SUPPLY

- A. Existing wellfield
- B. Proposed wellfield on local comprehensive plan
- C. Reduced threshold area
- D. Aquifer source--is it hydraulically connected to water table
- E. Class I surface water

This category discusses all water supply issues. Are wellfields present or proposed on a local



government's comprehensive plan? What impact would construction of a wellfield have on the water table aquifer and associated wetlands. Is the project within a reduced threshold area? Does Class I surface water flow through project or receive runoff from it?

### 3. CONSERVATION AND PROTECTION OF WATER RESOURCES

- A. Area of critical state concern
- B. Aquatic Preserve/Outstanding Florida Water
- C. Quantity and quality of major wetland systems

Has the project site been declared an Area of Critical State Concern? Is it adjacent to or within the watershed of an Aquatic Preserve or Outstanding Florida Water? Does the site contain major slough or other wetland systems which are significant water resources? Has the site been recommended for protection by a state or local program?

### 4. MANAGEABILITY

- A. Restoration ability/cost

This is an assessment of long term viability. Is the site large enough? Are degraded habitats in restorable condition? Is control burning as a management tool necessary or feasible? Is reflooding for water management or water quality improvement necessary or feasible? Will there be trespass or vandalism problems? How expensive will it be to properly manage the land?

### 5. HABITAT DIVERSITY

- A. Variety of viable natural habitat types/plant communities present
- B. All factors present for perpetuation of the population (food/foraging, cover/nesting, water)
- C. Degree of exotic plant infestation or disturbance from introduced animals
- D. Degree of human disturbance
- E. Could rare species of plants or animals be relocated to this site?
- F. Size

Is the site large enough to support a variety of communities? Does the site provide the necessary habitat factors, including food, cover and water, for the perpetuation of wildlife populations within the project boundaries? Do exotic plants or introduced animal species present long term problems for the site. Can they be controlled? Has the site been overdrained or impacted by off-road vehicles? Is

there suitable habitat/carrying capacity to support re-introduced native plants or animals.

### 6. SPECIES DIVERSITY

- A. Can the area support and maintain stable wildlife populations
- B. Bird rookery present
- C. Suitable habitat for migratory or transient wildlife species

Are most or all of the wildlife species normally associated with that habitat type present? Is the area large enough to maintain a breeding population, rather than just a number of individuals? Is the area used or suitable for use by migratory species?

### 7. CONNECTEDNESS

- A. Proximity to protected lands
- B. Wildlife corridor

This criteria concerns how the site links with other protected lands or large parcels of undisturbed lands. Does it lie within or will its protection create a wildlife corridor? How do the habitats relate to those nearby?

### 8. RARITY

- A. Endangered - threatened - rare - species of special concern present?
- B. Endangered - threatened - rare - species of special concern habitat?
- C. Unique ecological habitat
- D. Free flowing river or stream

This criteria incorporates the rarity or uniqueness of each of the site's community types and the rarity of the species it provides habitat for. The term "RARE" is considered to include endangered, threatened and species of special concern. Is the site unique by containing a major free flowing river or stream?

### 9. VULNERABILITY

- A. Urban development pressure
- B. Agricultural development pressure
- C. Is the site large enough to shield itself from adjacent development

This addresses the likelihood of events which might degrade or destroy the site through urban or agricultural development.

## 10. NATURE ORIENTED HUMAN USE

- A. Recreation potential
- B. Proximity of site to recreational users
- C. Game species present (harvestable resource)
- D. Suitability for scientific research
- E. Educational/Interpretive value

This concerns the site's suitability for human activities when consistent with the environmental sensitivity of those lands, and when such activities are compatible with the purposes for which the lands were acquired.

## GUIDELINES FOR SITE PRIORITY RANKING

### WATER MANAGEMENT

1. Property never floods; is not associated with a river, stream or other watercourse. Provides minimal flood storage for the watershed. No wetlands or other ponded areas.
2. Property occasionally floods during major storm events, but drains quickly. Provides basin storage during heavy storm events. Sparsely vegetated shallow wetlands.
3. Property is mostly low uplands or partially within floodplain of river or stream. Intermittent wetland sloughs. Short term ponding allows some aquifer recharge.
4. Within floodplain. Major wetland sloughs extending offsite. Numerous isolated wetlands. Seasonal inundation maintains groundwater aquifer.
5. Property is normally inundated during wet season. Within flow way of river or stream. Large interconnected marshes or sloughs. Serves as storage "sink" for upstream basin. Extensive groundwater aquifer recharge occurs due to year round standing water in wetlands.

### WATER SUPPLY

**NOTE: WHERE WELLFIELD DEVELOPMENT IS UNLIKELY AND NO OTHER SCORE IS APPROPRIATE, ASSIGN A VALUE OF "2.5".**

1. Salt water intrusion present in wells. Contains connate water. Under wellfield protection ordinance. Wellfield is directly connected with water table aquifer. All project

wetlands will be constantly drained by wellfield pumping.

2. Surface wetlands will remain wet only following heavy rain events. Degree of confinement inadequate to protect wetlands from induced leakage.
3. Water levels in wetlands will be lowered, but shallow standing water will still remain. Cone of depression minimized by linear distance separating wellfield and wetlands. Pumping will adversely affect wetlands only during extended drought.
4. Well-drained sandy soil, suitable for local aquifer recharge coastal ridge. Within Reduced Threshold Area. Existing wellfield inadequately protected by local ordinance. Water supply aquifer separated from water table by confining layer of very low permeability with low leakage. Project discharges to Class I surface water.
5. Delineated on comprehensive plan for wellfield development. Class I surface water flows through project. Existing wellfield not under wellfield protection ordinance. Water supply aquifer is well below ground or not hydraulically connected and will have no adverse impact on water table.

### CONSERVATION AND PROTECTION OF WATER RESOURCES

1. Development prohibited by state or local program. All uplands. No significant water resource areas.
2. Development restricted by state or local program. Viable natural area isolated by development. Minimal wetland areas or irreparably altered wetlands.
3. Within the watershed of an Outstanding Florida Water (OFW), Aquatic Preserve (AP) or Area of Critical State Concern (ACC). Strong public support exists for protection. Isolated, seasonal wetlands. Restorable wetland systems.
4. Buffers lands adjacent to OFW, AP or ACC. Strong local government support for protection. Considerable portion of the site consists of mixed upland/wetland system, with a diversity of habitat types. Minimal restoration needed.

5. Property is adjacent to OFW, AP or ACC. A significant natural community exists with no regulatory protection. Large contiguous wetland sloughs exist totally on site or extend onto adjacent lands. Habitat in extremely good condition, showing little or no signs of stress or disturbance.

#### MANAGEABILITY

1. Too small or degraded for restoration. Expense of restoration not justified by end result. Highly vulnerable to external impacts, making management nearly impossible.
2. Location and/or extent of degradation would make management difficult and expensive. Questionable whether restoration programs would be successful. Historic trespass/vandalism problems.
3. Could be restored to good condition, but would require vigilant management. Exotic plant removal/hydrologic restoration necessary. Control burning will be difficult due to external land uses. Trespass/ vandalism correctable, but will be expensive.
4. Habitats in good condition, but will require regular attention, such as burning. Size of area permits extensive restoration or manipulation of hydrologic regime without impacting offsite property owners.
5. How maintenance habitats in excellent condition. Control burning can be conducted without fear of impacting offsite interests. No restoration of natural systems required. Location minimizes problems with trespassers and vandalism.

#### HABITAT DIVERSITY

1. How species and community diversity. Seriously degraded by human activity"overdrained, wetlands denuded by off-road vehicle use. Exotic plant infestation beyond control. Site too small/isolated to maintain normal flora and fauna.
2. Fair habitat. Moderate species and community diversity. Might be capable of supporting populations of relatively tolerant species. Most animal species will probably have to leave site to obtain all factors

necessary for survival. Exotics controllable with great effort and expense.

3. Good habitat. Good diversity of species and communities. Capable of supporting populations of most typical species. Food/forage, cover/nesting and water generally present. Exotics controllable with some expense. Minimal human disturbance.
4. Excellent habitat. Large enough to support diverse species, communities and successional stages. Exotics minimal and isolated. Good potential as relocation site for rare plants or animals.
5. Outstanding habitat. Contains large and diverse communities which extend offsite. Varying stages of succession present. Large enough to maintain long term disturbance/succession cycle. No exotics present.

#### SPECIES DIVERSITY

1. Little or no wildlife present. Habitat not suitable for migratory species.
2. Few varieties of wildlife present. Most are associated with disturbed sites. No bird rookeries on site.
3. Good diversity of wildlife. Size and diversity of populations limited by project area.
4. Large diverse site. Most varieties of wildlife present, except for large predators. Breeding populations present. Habitat diverse enough to support migratory or transient wildlife species.
5. Many diverse species present, including large predators and rare species. Large gene pools present due to size/links to similar habitat types. Breeding colonies of birds present. Excellent potential as relocation site for rare species.

#### CONNECTEDNESS

1. Isolated from other protected lands by an impenetrable barrier or large expanse of unsuitable/unrestorable habitat. No significant connecting corridors. Project isolated by urban development.

2. Isolated from other protected lands of significant size by a moderate expanse of unsuitable habitat, such as an interstate highway. Wildlife movement between protected lands restricted essentially to avian fauna.
3. Isolated from other protected lands of significant size by an expanse of marginally suitable habitat. Possible to connect with or create a wildlife corridor suitable for terrestrial species, but will require restoration.
4. Connected with protected areas, but not over a wide expanse. Connecting corridors in good condition or easily restorable. Good potential for creating wildlife corridor simply by acquisition.
5. Directly contiguous with protected lands over a large boundary. Acquisition will create an extensive wildlife corridor.

#### **RARITY**

1. Common community types in poor to average condition. Habitat types widespread throughout region. No rare plants or animals. No unique ecological habitat.
2. Typical community types still represented by extensive acreages throughout region. A few uncommon species, but no significant occurrences. Poor habitat for rare species.
3. Good examples of natural communities. Habitat types well represented statewide, but rare locally. A few rare species present. Good habitat exists for rare species, but limited in amount.
4. Excellent examples of natural communities. Rare habitat available. A number of rare species present, but none dependent on this site for survival. Unique ecological habitat types or old growth present. One of last remaining free flowing streams or rivers in region.
5. Extraordinary example of a natural community. Abundant unique ecological habitat. Critical habitat for a globally endangered specie. Nationally significant geological feature or wildlife site. Cited by

state or federal government as a Wild and Scenic river.

#### **VULNERABILITY**

1. Due to remoteness and surrounding land use it is highly unlikely this tract will be proposed for agricultural or urban development in the foreseeable future. Size of the tract allows it to buffer critical internal habitats from offsite impacts.
2. How intensity agricultural use, such as native range, currently exists or is proposed. Low intensity development would not impact critical internal habitats, but buffers would be affected.
3. More intensive agricultural development, such as improved pasture, is proposed. More intensive agricultural development, such as citrus, has occurred on similar parcels, but more suitable land still remains undeveloped. Low intensity urban development, such as rural ranchettes, is proposed on local land use plan. Portions of buffer areas would be remain undisturbed, but development activities, such as drainage, would shorten the hydroperiod of internal wetlands.
4. Located in good development site. Potential for urban development is high. Conversion to intensive agriculture, such as citrus, is occurring on surrounding parcels. Wetlands would remain undeveloped, but upland buffers would be developed as sub-division or orange grove.
5. Prime real estate, presently for sale. Last remaining tract suitable for agricultural development in area. Development for urban or agricultural purposes will destroy the natural value of the site.

#### **NATURE ORIENTED HUMAN USE**

1. Unsuitable for passive recreation. Aesthetically unappealing. Little scientific or educational value. Not suitable for hunting or fishing. Site inaccessible.
2. Suitable for limited passive recreation, but special management might be necessary to prevent adverse impacts. Pleasant setting. Useful site for school or nature center field trips or student research. Proximity of surrounding users prohibits use of high

powered weapons. Sport fishing would require removal of rough fish and restocking.

3. Suitable for limited passive recreation. Attractive environment. Ecologically interesting enough to be a good outing destination for local groups like Sierra Club, Audubon, etc. Useful site for scientific research. Limited hunting with carefully set bag limits.
4. Good for several types of passive recreation. Large enough to allow limited camping without adversely affecting more sensitive parts of the site. Scenic. Suitable for nature trails and/or environmental center. Valuable site for scientific research. Special enough to be a regional recreation destination. With proper game management, hunting with primitive weapons could be allowed on an annual basis. Many areas suitable for fishing.
5. Outstanding site for a variety of passive recreational uses. Excellent for nature trails and/or environmental center. Could support a campground as well as back country camping.

Important, well documented scientific study site. Features so exceptional the site could attract national/international visitors. Could be operated as a wildlife management area by GFC. Offers excellent sport fishing. Easily accessible



